

Dr. Edwards 1754
THE GENERAL

L A W S

And
LIBERTIES of
CONNECTICUT COLONIE

Revised and Published by Order of the
GENERAL COURT.

Held at Hartford, in October 1672.

FOrasmuch as the free Enjoyment of such Liberties, as Humanity, Civil-
ity and Christianity call for, as due to every man, in his station and
proportion, without Impeachment and Infringement both ever here,
and ever will be the Tranquillity and Stability of Churches and Com-
mon wealth; and the denial or deprival thereof, the disturbance, if
not ruine of both:

It is therefore Ordered by this Court and the Authority thereof; That
no mans life shall be taken away, no mans honour or good Name, shall be dis-
tained, no mans person shall be Arrested, Restrained, Banished, Dismembred, or
any wayes punished; no man shall be deprived of his Wife or Children; no
mans Goods or Estate shall be taken away from him, nor any wayes indama-
ged under colour of Law, or countenance of Authority, unless it be by the ver-
tue or equity of some express Law of this Colony warranting the same, estab-
lished by the General Court, and sufficiently published; or in case of the de-
fect of a Law in any particular case by some clear and plain Rule of the
word of God, in which the whole Court shall concur.

disposed of by
the Court, &c.

provided, that their persons, after the disposal of their Estates, after the charges of their Prosecution and Imprisonment is answered, shall be left to the Court to be disposed according to Rules of Righteousness and Equity.

THE
GENERAL
ACTIONS.

To prevent inconveniences, and that those who shall be called to make answer in such suits as shall be commenced against them (in any the Civil Courts of Judicature in this Colony) may have due time to prepare themselves for their Answer;

Five days warning to answer any Action

It is therefore Ordered by this Court and the Authority thereof; That from henceforth no person shall be requireable to appear in any Court, to make Answer to any Action of Debt, Trespass, Defamation, Slander, Accompt, or of the Case, except the Summons have been served upon him at least five dayes before the Court.

Writ shall not appear to prosecute when called a third time to be tried in the Court

It is also Ordered; That if any person who hath entered an Action to be tried in any of our Courts, be called three times (after the first half dayes sitting of the Court) and not appear by himself or his Attorney to prosecute his Action, he may be Non-suited, and pay all costs and charges, as if his Action had been prosecuted in the said Court.

Liberty of removal or adjourned Courts

And it is Ordered; That there shall be free liberty of Process granted in all Civil Actions according to Law; at any Adjourned County Court, as well as at the set County Courts.

Plaintiffs liberty to withdraw or discontinue his suit

It is further Ordered by this Court; that in all Actions brought to any Court, the Plaintiffe shall have liberty to withdraw his Action, or to Non-suit himself before the jury have given in their Verdict, in which case he shall always pay full costs and charges to the Defendant, and may afterward renew his suit at another Court, the former Non-suit being first Recorded.

Actions charge what

It is also Ordered; That for all such Actions as shall be tried by a Jury in any of our Courts, there shall be paid by the Plaintiffe Twelve shillings, for shillings to the Treasury and six shillings to the Jury. And for all such Actions as shall be tried by the Bench, there shall be paid by the Plaintiffe two shillings to the Treasury, besides the Secretary or Clerks fees.

Upon non-payment of cost of Court, the Court may refuse to hear the case

It is further Ordered; That if any person Commence an action in any of our Courts, either for the Bench or Jury, and do not pay down the charges thereof according to Order, both to the Treasury, Secretary, Recorder and Jury in good and current Country pay, to the Courts satisfaction, it shall be in the power of the Court to refuse to hear such Actions.

A D U L T E R Y.

Adultery how punished

It is Ordered By this Court and the Authority thereof; That whosoever shall commit Adultery with a Married Woman, or one betrothed to another man,

May 17, 1734

Garments, during his or her abode in this Colony, in which may be written, as often as he or she shall be found without their Halts, or some part of them, they shall upon information and proof of the same made to any Assistant or Commissioner, be by them ordered to be whipt.

Adventurers in Discovering Commodities of publick Concern.

IT is Ordered by the Authority of this Court; That if any person or persons shall set themselves on work to discover any Commodities, that may be of use for the Country, for the bringing in a supply of Goods from forreign parts, that is not as yet of use amongst us, he that discovers it shall have due encouragement granted to him, and the Adventurers therein.

Adventurers in
discovering Com-
modities of use
to be encouraged

A G E.

IT is Ordered by the Authority of this Court; That the age for passing away of Lands or such kind of Hereditaments, or for giving of Vote, Verdicts or Sentence in any Civil Courts or Causes, shall not be under *twenty one* years of age: But in case of chusing Guardians, *fourteen* years.

Full age, and age
of discretion

A L A R M S.

IT is Ordered by the Authority of this Court; That when there is an Alarm in any Plantation, the Souldiers shall repair to the severall Squadrons or places in which their chief Officers hath appointed them to meet in; and any person that shall neglect or refuse to attend his duty herein, he shall be punished, by a fine of *five pounds*, or imprisoned, or other corporal punishment; always provided, such delinquency be complained of, and prosecuted within *six months*, and the Delinquent do not give a satisfying reason to the Court of his disability to attend this Order.

In Alarms the
Souldiers to re-
pair to their quar-
ters, penalty 5
provided

False Alarms.

IT is Ordered by the Authority of this Court; That if any person or persons in this Colony, without just and necessary occasion so to do, shall cause any Alarm, by firing any Gun or Guns, or otherwise, in any of our Plantations, at any time between the shutting in of the Evening or break of the Day (such practises being very prejudicial to the comfort and safety of the Plantations) the person or persons that are discovered, and convicted to be guilty herein, shall pay *five pounds* a piece to the publick Treasury, or suffer *two months* imprisonment, or other Corporal punishment; provided, the Delinquency be complained of, and prosecuted within *six months* after the same is committed.

penalty 5
provided

Alarms, the Constables Charge to the watch.

A P P E A L S.

IT is Ordered by the Authority of this Court; That if any person shall be aggrieved with the sentence of any inferiour Court, Assistant or Commissioner

he may remove his case to the next County Court in that County where his case was first heard: Provided he give in good security to prosecute his case at the said County Court.

It is also Ordered: That if any person or persons be agrieved with the issue, sentence, or determination of any County Court, he or they shall have liberty to Appeal to the next Court of Assistants, provided, he give in good security to prosecute his Appeal, and pay all Costs: In which case Execution shall be respited till the issue of the case; and for every Appeal to the Court of Assistants, there shall be paid *twenty shillings* to the Publick Treasury.

It is also further Ordered; That if any person or persons shall be dissatisfied with the conclusion of any Court of Assistants, he may remove his case to the General Court, provided, he do it before Execution be granted, and give in good security to prosecute his case at the next Session of the General Court, and pay all costs; and abide by and fulfil the issue of the said Court in the case: And for every case thus brought to the General Court, there shall be paid *forty shillings* to the publick Treasury.

ARRESTS.

No person to be Arrested, Imprisoned &c

Debtors imprisoned to lye at their own charge proviso

If no estate appear the Dr. to answer his debt by service &c

It is Ordered by the Authority of this Court; That no person shall be Arrested or Imprisoned for any Debt or Fine, if the Law can finde any competent means of satisfaction otherwise from his Estate, and if not, his person may be Arrested and Imprisoned, where he shall be kept at his own charge, not the Plaintiffs, till satisfaction be made, unless the Court hath cognizance of the cause, or some Superiour Court shall otherwise determine: Provided nevertheless, no mans person shall be kept in Prison for Debt, but when there appears some Estate which he will not produce: in which case any Court, Assistant or Commissioner may administer an Oath to the party, or any others suspected to be privy in concealing his Estate: And if no Estate appear, he shall satisfy his Debt by service, if the Creditor require it, in which case, he shall not be disposed of in service to any but of the English Nation.

ATTACHMENTS.

Ordinary process what

Returne

how to be served

Attachments for Contempt &c

It is Ordered by the Authority of this Court; That the ordinary Summons or Process for the present within this Colony, until other provision be made to the contrary, shall be a Warrant fairly written under some Magistrate or Magistrates, Commissioner or Clark of the Courts hand or hands, mentioning the time and place of appearance, together with the substance of the Action, and if the said party or parties do not appear according to the said Summons or Warrant, upon affidavit first made, that the Warrant was read to the said person or persons, within his hearing, or left at the place of his usual abode; the Court shall order an Attachment to be granted against the person or persons Delinquent, to Arrest or Apprehend the said person or persons, for his or their wilful contempt; and in case no sufficient Security or Baile be tendered to imprison the said party or parties returnable, the next Court that is capable to take cognizance of the business in question, and upon return of the said Attachment, the said Court to do therein according to the Laws and Orders of the Jurisdiction; and in that case also, the party Delinquent shall bear his own charges.

To prevent inconveniencies, and that Creditors may be satisfied, in a suitable way, according to the nature of their Contracts and Bargains.

It is Ordered by this Court; That it shall be lawful for such Creditors that have

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And the Owners of all incorporated Grounds, shall bound every particular parcel thereof with sufficient Mark Stones, and shall preserve and keep them so, upon the penalty of forfeiting *ten shillings* for each.

Order for Horses.

It is Ordered by the Authority of this Court; That each Town in this Colony, shall have a Town Constable, to bound their Horses with a several Mark as is hereby directed, and keep such Mark; And by the Constables of each Town, bechose to stand there, who shall take an Entry of all Horses so bound, with their natural and artificial marks, and keep by him for the Constable, who shall have six pence for every Mark, Mark or Call in December next.

The List for the several Plantations are.

Hartford	A.	Gilford	G.	Norwich	N.	Yellsworth	Y.
Northampton	B.	New Britain	H.	Norwalk	O.	Waterbury	W.
Stamford	C.	Windsor	I.	East	Q.	Farmington	X.
Seymour	D.	Meriden	K.	East	R.	Wallingford	Y.
Greenwich	E.	Albany	L.	Stratford	S.	Middletown	Z.
Fairfield	F.	Madison	M.	Stratford	T.	Stratford	E.

The Constable to be set on the rear or left shoulder.

BRIDGES.

It is Ordered by the Authority of this Court; That persons Horses and Teams are to be careful to repair all Highways and Bridges, and Country Roads, in the Colony.

Do Order; That if any person at any time leaps his life through defect or insufficiency of such Bridges, in passing any such Bridge or High way after due warning given him any of the Select men of the Town in which such defect is, in writing under the hand of two witnesses, or upon presentation to the County Court of such defective Ways or Bridges, that then the County or Town which ought to fence such ways or Bridges, shall pay a fine of one Hundred pounds, to the Person, Whom, Will, or Consent, or next of Kin to the party concerned, and if any person break a Horse, or receive any other Damage, or break his way, part of the Road through such defect aforesaid, the County or Town through whose neglect such hurt is done shall pay to the party so hurt double damages; the like punishment shall be made for any Town, Cart, or Carriage Horse or other Road, or Loading property liable to the damage sustained aforesaid.

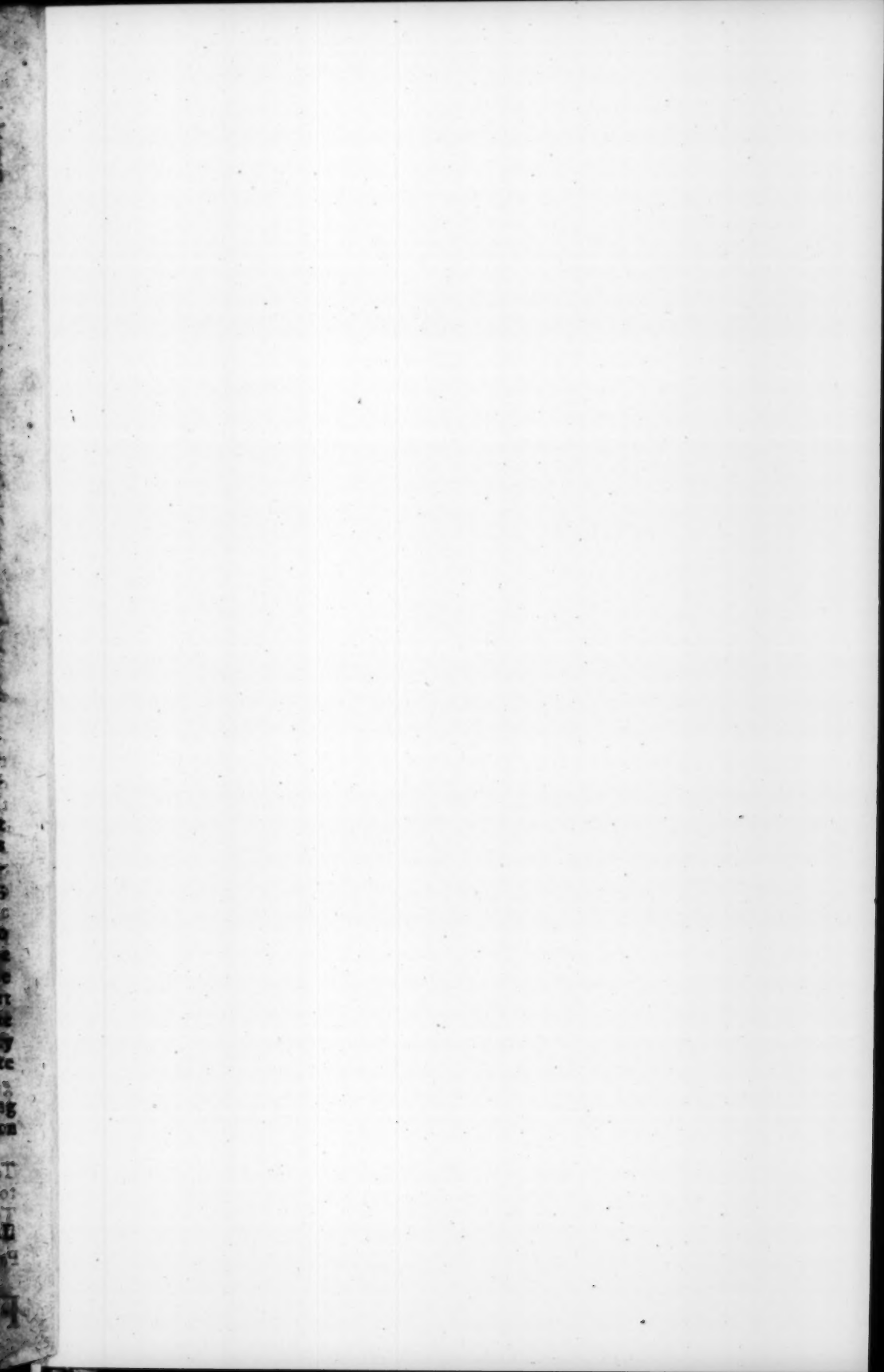
It is also Ordered; That the Towns within this Colony shall keep in sufficient repair all the Highways and Bridges within their Townships.

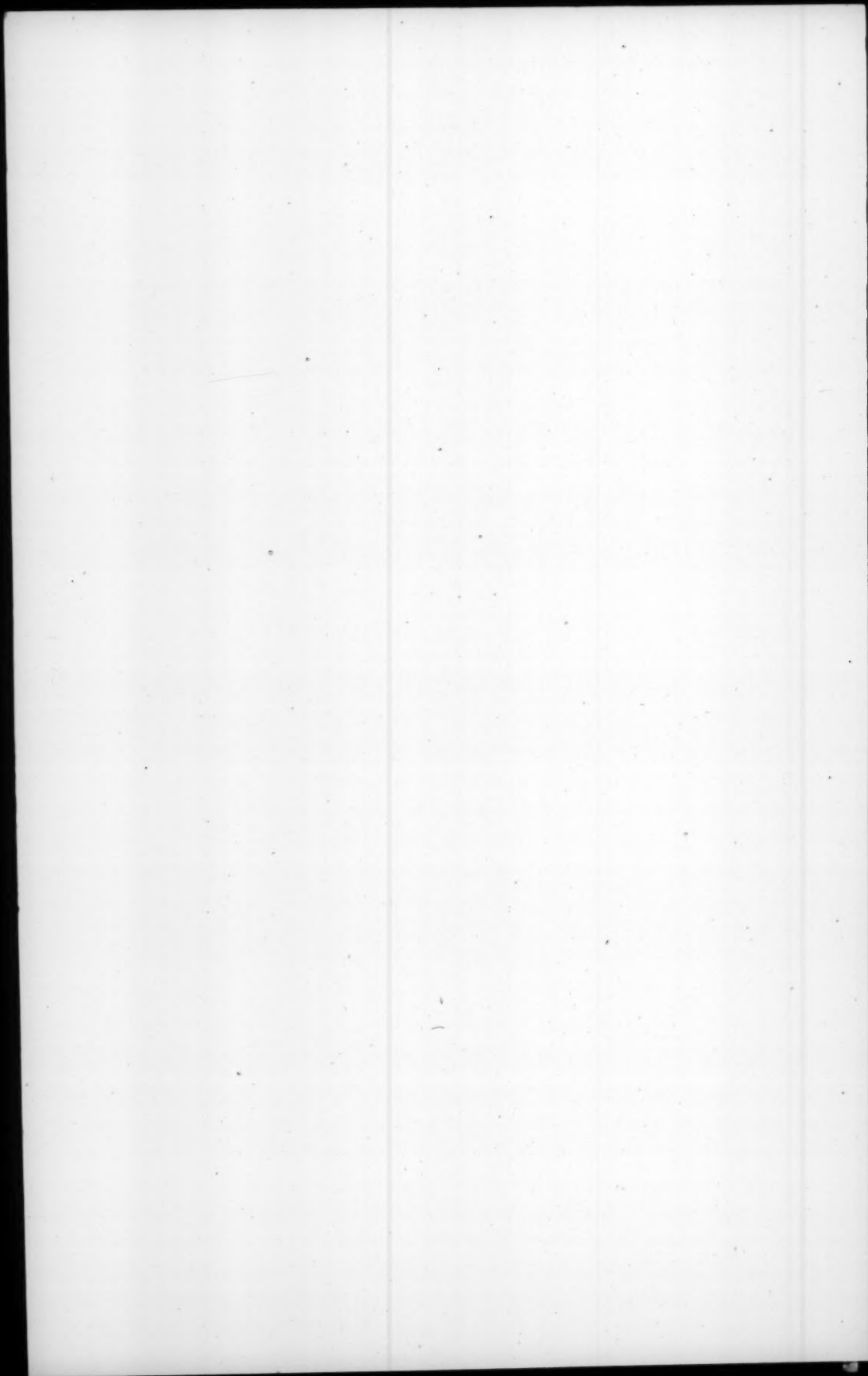
And for the preservation of the same, and to keep them in the sufficiency of Bridges and Passages, which are upon their Highways, the Towns shall be careful to keep either in the Town, or to the persons for the same, who may have cannot preserve them in the same.

It is therefore Ordered by this Court; That upon the complaint of any such Town or Person as any one Assistant or Commissioner, he is hereby impowered to issue out Warrants to the Constable to apprehend such Workmen in their Township, as shall be needful to fence and repair the same, who shall be paid for their work, either by the Town, or Persons to whom such Bridges and Passages do belong.

Burglary and Theft.

Forasmuch as many Persons are apt to be injurious to the Goods and Lives of others, notwithstanding all care and pains to prevent and punish the same;





Capital Laws.

1. If any Man or Woman after legal conviction shall Have or Worship any other God but the Lord God, he shall be put to death. *Deut. 17. 2. 18. 12. 13.*

Idolatry.

2. If any person within this Colony shall Blaspheme the Name of God the Father, Son or Holy Ghost, with direct, express, presumptuous or high handed Blasphemy, or shall Curse in the like manner, he shall be put to death. *Levit. 24. 15, 16.*

Blasphemy.

3. If any Man or Woman be a Witch, that is, hath or consulteth with a Familiar Spirit, they shall be put to death. *Exod. 22. 18. Lev. 24. 17. Deut. 18. 10, 11.*

Witch-craft.

4. If any person shall commit any wilful Murder, committed upon Malice, Hatred or Cruelty, not in a man just and necessary defence, nor by casualty against his will, he shall be put to death. *Exod. 21. 12, 13, 14. Num. 35. 16, 17.*

Murder.

5. If any person shall slay another through guile, either by Poisoning, or other such Devilish practises, he shall be put to death. *Exod. 21. 14.*

Murder through guile.

6. If any Man or Woman shall lye with any Beast or Brute Creature by carnal Copulation, they shall surely be put to death, and the Beast shall be slain and buried. *Lev. 20. 15, 16.*

Beastiality.

7. If any man lyeeth with Man-kinde as he lyeeth with a Woman, both of them have committed abomination, they both shall surely be put to death, except it appear that one of the parties were forced, or under fifteen years of age. *Levit. 20. 17.*

Sodomy.

8. If any Man shall lye with his Mother, or Fathers Wife, or Wives Mother, his Daughter or Daughter in Law, having Carnal Copulation with them, both of them have committed abomination, they both shall be put to death, except it appear that the Woman was forced, or under fourteen years of age. *Levit. 20. 11, 12, 13. & 17. 7, 8, &c.*

Incest.

9. If any Man shall forcibly and without consent Ravish any Maid or Woman, by committing Carnal Copulation with her against her consent, he shall be put to death, provided prosecution and complaint be made forthwith upon the Rape. *Deut. 22. 25.*

Rape.

10. If any Man stealeth a Man or Man-kinde, and selleth him, or if he be found in his hand, he shall be put to death. *Exod. 21. 16.*

Man stealing.

11. If any person rise up by False Witness, wittingly and of purpose to take away any mans life, he or she shall be put to death. *Deut. 19. 16, 17, 18.*

False witness.

12. If any person shall conspire or attempt any Invasion, Insurrection or publick Rebellion against this Colony, or shall Treacherously and Perfidiously attempt the Alteration and Subversion of our Frame of Government Fundamentally Established by His Majesties Gracious Charter Granted to this Colony, by endeavouring the bringing of the same into the hands of any foreign power, he shall be put to death.

Conspiracy.

13. If any person of the age of sixteen years and upward, shall wilfully and of purpose break any Dwelling House, Barn, or out House, he shall be put to death, or suffer such other severe punishment as the Court of Assistants shall determine. When prejudice or hazard to the life of any person cometh thereby, and also for all damages to the wronged or aggrieved party.

Wilful breaking of dwelling house &c.

14. If any Child or Children above sixteen years old, and of sufficient understanding, shall Curse or Smite their natural Father or Mother, he or they shall be put to death, unless it can be sufficiently shewed, that the Parents have been very unchristianly negligent in the education of such Children, or if provoked them by extreme and cruel correction, that they have been forced thereunto to preserve themselves from death or maiming. *Levit. 24. 15. Rom. 13. 9. Exod. 21. 17.*

Children who curse or smite parents.

15. If any man have a stubborn or rebellious son, of sixteen years and upward, who will not obey his voice, or the

good (which ought to be attended in all such Improvements as are most proper to them, and may best advance the same) may receive such assistance, encouragement of a prudent ordering and disposing of those several Common Lands, in as it may best effect the same. It is Ordered by the Authority of this Court, That each Town in this Colony, shall from time to time yearly choose Three, Four, or Seven of their discreet men to be their Select men, to Order the prudential affairs of their Town; who by this Order are impowred and required seriously to consider and determine according to their best skill, in what way the said Common Ponds in their severall and respective Plantations may be best improved for the Common Good, and whatsoever is so determined by the said Select men, or the Major part of them in each Town concerning the way of improvement of say such Lands, shall be attended by all such persons that have any propriety or interest in say such Lands is judged by the Select men.

And whereas much damage may arise not only from the unruliness of some kind of Cattle, but also from the weakness and insufficiency of many Fences, whereby much difference and variance may arise, which if not prevented, may prove prejudicial to the Publick Peace.

It is therefore Ordered by this Court; That the Select men, or the major part of them, shall appoint what Fences shall be made in any common Grounds, and after they are made to cause the same to be viewed by the Fence viewers, who are to set such fines as they judge meet upon any as shall neglect or not duly attend the aforesaid Order of the Select men, in the setting down of their Fence, or repairing of the same; And when Fences are made and judged sufficient by the Fence viewers, and so maintained, whatsoever damage shall be done by Hogs, or any other Cattle within those said Lands, shall be paid by the Owners of the Swine or Cattle; it being provided that any particular man or men shall have liberty to inclose any of their particular Grounds and improve them according to their own discretion by mutual agreement notwithstanding this Order.

It is also further Ordered by this Court; That what Land lies in Common unfenced, if one shall improve his Land by Fencing in several and another shall not, he who shall so improve shall secure his Land against other mens Cattle, and shall not compel him as joyn upon him to make any Fence with him, except he shall also improve. Several as the other doth, and where one man shall improve before his Neighbour, &c. to make the whole Fence, if after his said Neighbour shall improve also, he shall then ratifie for half the others Fence against him, according to the present value, and shall maintain the same. And if either of them shall after, lay open his said Field, which none shall do without three months warning he that have liberty to buy the divided Fence, paying according to the present valuation, to be set by two men chosen by either party one; The like Order shall be attended where any man shall improve Land against any Town common, Provided this Order shall not include House lots, for in such, if one shall improve, his Neighbour shall be compellible to make and maintain one half of the Fence between them, whether he improve or not; Provided also, that no man shall be liable to sue for damage done in any such Ground not sufficiently Fenced, except it shall be for damage done by Swine under a year old, or untimely Cattle which will not be returned by ordinary Fences, or where any man shall put his Cattle or other so valuably trespass upon his Neighbours Ground: And if the party damages and the Cattle damage seizure he may impound them, or other wise dispose of them according to Law.

Cavalry Enrolled

Whereas it appears, that divers to a fault, and against their Knowledge, secretly and underhand make Targets, and Commodities, such as, Lotts, and Accommodations, by means whereof, some the better than others, are made in violation of the Order of Law to declare against the said Lotts, Lotts and Accommodations, and so receive satisfaction for the same, he is hereby declared that

frustrated, which is contrary to a righteous Rule, that every man shall pay his debt with his Estate, be it what as will be, either real or personal;

It is therefore Ordered by this Court and the Authority thereof; That if any Creditor for the future do suspect his Debtor, that he may prove non solvant in his personal Estate, he may repair to the Register or Recorder of the Plantations where the Lands, Lots or Accomodations lieth, and enter a Caveat against the Lands Lots or accomodations of the said Debtor, and shall give the said Register or Recorder four pence for the Entry thereof; And the said Creditor or Creditors shall take out Summons against the said Debtor, and in due form of Law the next County Court in that County where the said Lands, Lots and accomodations lieth, declare against the said Lands, Lots and Accomodations. And if the Creditor recover, he may enter a judgement upon the said Lots, Lands and Accomodations, and take out an extent against the said Lands, Lots and Accomodations, directed to a known Officer, who may take two honest and sufficient men or the Neighbours to apprise the said Lands, Lots and Accomodations either to be soule out right, if the Debt so require, or let a reasonable Rent upon the same until the Debt be paid, and deliver the possession thereof either to the Creditor or Creditors, or their Assigns or Assignees, and what Sale or Sales, Lease or Leases the said Officer makes, being Recorded according to the order for Recording of Lands, shall be as legal and binding to all intents, constructions and purposes, as though the Debtor himself had done the same; Provided if the said Debtor can then presently procure a Chapman or Tenant that can give to the Creditor or Creditors satisfaction, to his or their content, he shall have the first refusal thereof.

Also it is hereby Ordered; That he which first enters Caveats as aforesaid, and his Debt being due at his Entering the said Caveat shall be first paid, and so every Creditor as he enters his Caveat, and his Debt become due, shall be orderly satisfied, unless it appears at the next Court, the Debtors Lands, Lots and Accomodations prove insufficient to pay all his Creditors, in which case every Creditor shall have a suitable proportion to his Debt out of the same, and yet notwithstanding every man to receive his part according to the Entry of his Caveat, yet this is not to feclude any Creditor from recovering other satisfaction, either upon the person or estate of the said Debtor, according to the Law and Custome of the Colony.

As also it is further Ordered; That what sale or bargain forever the Debtor shall make concerning the said Lots, Lands and Accomodations, after the Entering the Caveat shall be void as to defraud the said Creditors.

It is also further Explained and Declared; That if the said Debtor be known to be a non solvant man, before the first Caveat was Entred against the said Lands, Lots and Accomodations, and the same appear at the next County Court, then the said Court shall have power to call in all the Creditors in a short time, and set an equal and indifferent way how the Creditors shall be paid out of the said Lands, Lots and Accomodations; otherwise if the said Debtor prove solvant after the first Caveat Entred, then this Order to be duly observed according to the premises, and true intent and meaning thereof.

It is also further Explained and Declared; That the said Recorder or Register of the said Caveat shall the next County Court as aforesaid return the said Caveats that are with him, at which time and Court, the Enterters of the said Caveats shall be called forth to prosecute the same at the said Court, and if the Enterters of the said Caveats fail to prosecute according to this Order, the Register or Recorder of the said Caveat or Caveats shall put a Perot upon the said Caveat or Caveats, which shall be in valid or void to charge the said Lands, Lots and Accomodations aforesaid.

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Every slave, y.
or child years
of age

And can you
see the man
or woman who

Knows any law
or Servant to be
sent to the house
of Correction

And can you
see the man
or woman who

Knows any law
or Servant to be
sent to the house
of Correction

And can you
see the man
or woman who

One day in each
year the man
or woman who

Selected men to
appoint the day

And can you
see the man
or woman who

And can you
see the man
or woman who

Offenders to be
convicted from
the 1st of January

they come to twenty one, and Girls eighteen years of age complete, which will more strictly look unto, and force them to submit unto Government according to the Rules of this Order, if by fair means and better instructions they will not be drawn to it.

And can you see the man or woman who knows any law or Servant to be sent to the house of Correction? And can you see the man or woman who knows any law or Servant to be sent to the house of Correction? And can you see the man or woman who knows any law or Servant to be sent to the house of Correction?

And can you see the man or woman who knows any law or Servant to be sent to the house of Correction? And can you see the man or woman who knows any law or Servant to be sent to the house of Correction? And can you see the man or woman who knows any law or Servant to be sent to the house of Correction?

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before some Magistrate of this Jurisdiction, who shall dispose of him or them as the justice of the case shall require, and that all Fine and Crime shall be duly reviewed, and diligently pursued to full end.

As well to Order and to every Constable within every Hundred shall be com-
manded full power to make him and his forth Pursuit of him and Cries
after Murtherers, Murtherers, House-breakers, Thieves, Robbers, Burglars
and other Capital Offenders, where the Magistrates shall find cause to Appre-
hend without Warrant, such as are charged with Drunk Swearing, Sabbath
breaking, Singing in the Drunken, Using Vagrant persons, Night wal-
king, or any others that shall offend in any of these, provided they be taken
in the manner, either by him or the Constable or by better Information from
some other, as also to make search for all such persons, either on the Sabbath
day or other, when there shall be occasion in all Houses licensed either to sell
Beer or Wine, or in any other suspected or disorderly places, and those so ap-
prehend and keep in safe custody, till opportunity serves to bring them before
one of the next Magistrates for further examination: Provided, that when
any Constable is employed by any of the Magistrates for apprehending of any
person, he shall not do it without a Warrant in writing: and if any person
shall refuse to assist any Constable in the execution of his Office, in any of the
things before mentioned, being by him required thereunto, they shall pay for
neglect thereof *ten shillings* to the use of the Country, to be levied by War-
rant from any Magistrate before whom any such Offender shall be brought, and
if it appears that any shall wilfully, obstinately or contemptuously refuse or
neglect to assist any Constable as is before expressed, he shall pay to the use of
the Country *forty shillings*: and if any Constable, or any other upon any occa-
sion shall refuse to do their best endeavour in raising and prosecuting hue and
cries by foot, and if need be by horse aforesaid, as have committed Capital
Crimes, they shall forfeit to the use aforesaid, for every such offence *fourty shil-
lings*.

It is also Ordered: That all Constables may and shall from time to time duly make search throughout the limits of their Town upon Lords dayes and Leet dayes in time of exercise, and also at all other times, so oft as they shall see cause, for all such Offenders as shall be Tipling in any Inn or House of entertainment, or private house excessively or unreasonably: and if upon due information, any Constable shall refuse or neglect to search for the same, he shall not to their power perform all other things belonging to their place or office of Constables, then upon complaint and due proof before any one Aldersman or Commishoner within three monthes next after such refusal or neglect, they shall be liable for every such offence *sen infra*, to be levied by the Marshall as in other cases, by Warrant from such Magistrate or Commishoner before whom they are convicted, or Warrant from the Treasurer upon Petition from such Magistrate or Commishoner.

It is also Ordered by this Court, That the Constables in the respective Plantations shall at all times, when the Treasurer shall call or require them, deliver their Accounts to him under their hand or hands, both of what they have received upon the County account, and how they have paid it, which account shall also be signed and approved by an Assistant or Constable, if any such inhabits there, if not under the hands of two of the Selectmen of that Town.

It is further Ordered by this Court: That the Countables for the future, in the respective Plantations, shall gather their proportion of the Country Rate, and make payment thereof according to order by the years of June in each year, upon penalty of *forfeiting* the Secretary's Office therein: And they are also Ordered to make up their Accounts with the Treasurer by the Second Thursday in *October* yearly, upon penalty of *forfeiting* his forever Office therein: and the Treasurer is hereby Authorized to lend forth his Warrant to distrain the Estates of the respective Countables for the payment of Rents.

constab. where no
Magist. is taken
Black Chief &c.
To the Chief &c.
to apprehend
without warrant
Drunkards &c

also to make
search for them
Apprehend and
secure

Confabula to be
edited

on penalty of

willful neglect
40-1

Charitable de-
negated as pro-
fane but a crime
40.1 penalty

**Constab to make
search for offend-
ers**

Cost, excluding

Penalty to \$5.

any one Affair or
Council to deter-
mine such a case
the Marshal to
levy the fine &c

**Combs: to return
their accounts
upon demand to
the Treasurer**

penal: by the 10-
tant yearly the
Countryrise
Penalty 10 a

Drunkards & Drunkenness

Can we have the power of Water-baylies

**Fraudulent Con-
veyances Invalid**

**And any Deed
Prorogued for the
Cause of Illegal
Violence**

Central to the
South for other

The Bounds of
Mantford County
by Belton, Geo

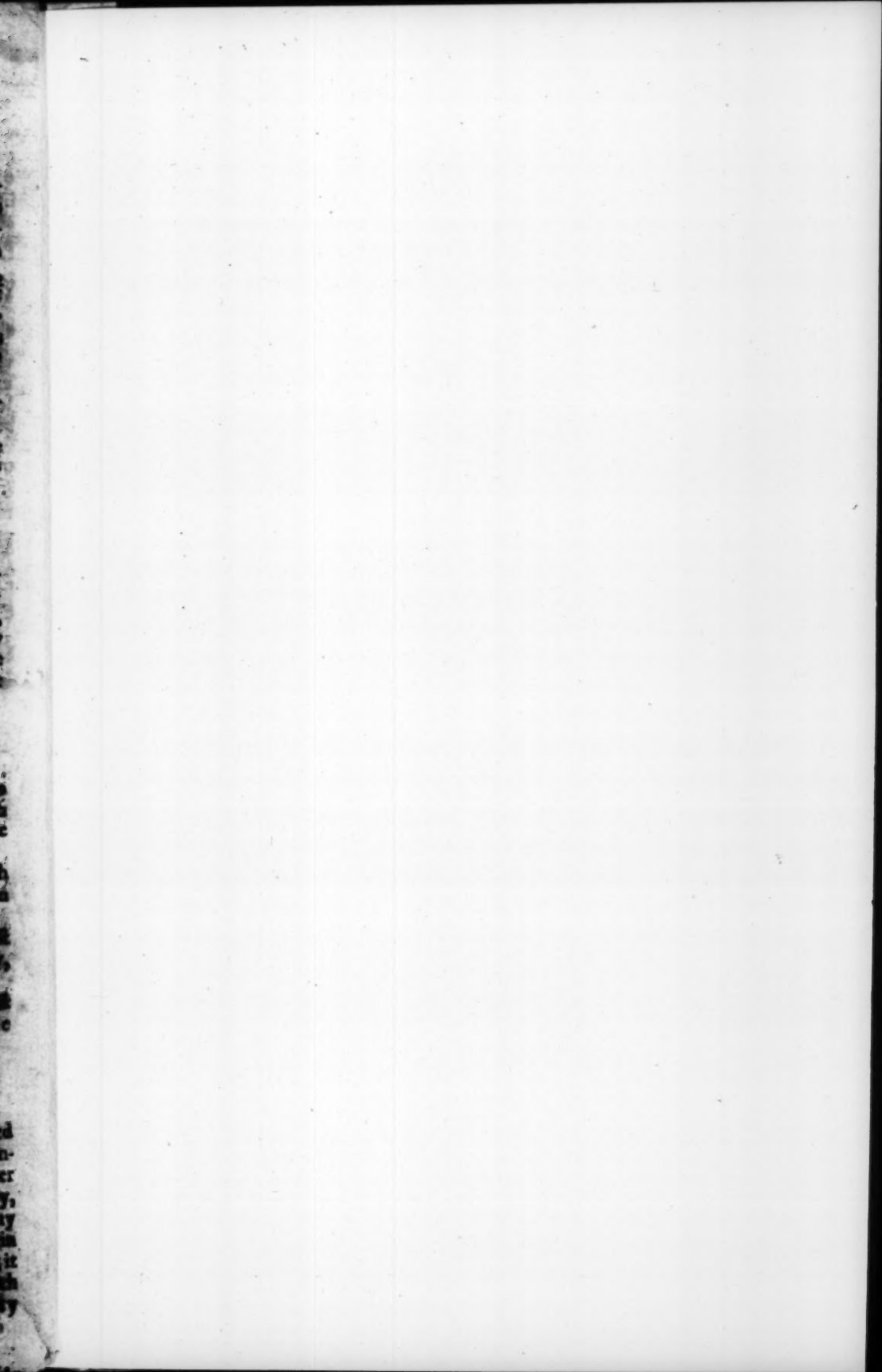
the bounds of
New London
County

Newbury County

The Bounds of Fairfield County

THE JOURNAL

No failed Inhabitant as he found money in the country to answer to creditors in the other county. He



COURTS.

It is Ordered by the Authority of this Court; That there shall be yearly two General Courts or Assemblies, the one the second thursday in May, the other the second thursday in October, both which shall be holden at Hartford at all times, unless it be upon occasion of Epidemical diseases, in which case like the first shall be called the Court of Election, wherein shall be chosen from time to time yearly, one Governour, one Deputy Governour, and twelve Assistants, with a Treasurer and Secretary for this Colony, and two Commissioners for the United Colonies.

Which said General Courts shall consist of the Governour, or Deputy Governour and six Assistants at the least, with those of the Deputies from the several Plantations in this Colony, that shall be present & attend the said Courts. In which General Court shall consist the power of this Colony or Corporation, and they only shall have power to make Laws and Repeal them, to grant Levies, to admit of Freemen, to dispose of Land undisposed of to particular Towns or persons. And also shall have power to set up such Officers and Juridicatories as they shall see necessary for the good Government of the People of this Colony; And also shall have power to call either Court or Magistrate, or any other person whatsoever to an account for any Misdemeanour or Misadministration, and may for just cause displace them, or deal otherwise, as the nature of the case shall require; and also may deal in any other matter that concerns the good of this Colony, except the Election of Governour, Deputy Governour, Assistants, Treasurer and Secretary, which shall be done by the Freemen at the yearly Court of Election; Provided, if there be want of Assistants by reason of Death or otherwise, after the Election, such want shall or may be supplied and made up by the General Courts Election or appointing some suitable person or persons to supply such want according to Charter.

It is further Ordered; That the said General Court shall only have power upon good grounds to them satisfying to grant Suspension, Release and Jail delivery, upon Reprieve in Criminal and Capital cases unto any person or persons, that have been sentenced in any other Court whatsoever; any thing in any Law to the contrary notwithstanding.

It is also Ordered; That any of our General Courts shall not be dissolved or prorogued without the consent of the major part thereof.

It is also Ordered by this Court; That the Governour, or in his absence the Deputy Governour, shall by themselves or the Secretary, send out their Summons for the two standing General Courts, one Moneth at least before their several Sessions, also upon any special and imergent occasion the Governour or Deputy Governour, with the advice of one or more of the Assistants may call a General Court upon fourteen dayes warning, or less if they see occasion they giving an account thereof to the Assembly when they shall be met together.

For the furtherance of the Administration of Justice, it is necessary that the Times and Places where it shall be dispensed may be publicly known;

It is therefore Ordered, and by this Court Declared; That there shall be two Courts of Assistants yearly held at Hartford, by the Governour or Deputy Governour and six of the Assistants at the least; the first on the last twelfth day in May, the second on the first thursday in October. Which said Courts shall have power to hear and determine by a Jury of twelve men, or otherwise according to Law all such Appeals as shall be brought before them from any of our County Courts, both of Civil and Criminal Cases, and also all Tryals for Life, Limb, Banishment and Divorce.

It is also Ordered; That it shall be in the power of the Court of Assistants, upon necessary occasion to adjourn the said Court.

It is further Ordered; That the Governour or Deputy Governour have here by power granted them to call a special Court of Assistants upon any extraordinary occasion.

The Gen. Courts shall be held in Hartford

The 1st the 2^d thursday in May to be called the Court of Election

The number and who are to constitute a General Court

the power of the General Court

particularized

restrained

General Courts power to pardon Misdemeanors

Gen. Court not to be dissolved or adjourned without our consent

Gov. or Dep. Gov. by themselves or Secy. to call the Gen. Court

Two Courts of Assistants

the 1st in May 2^d in October

The Court of Assistants power to hear all Appeals & capital cases

their power to adjourn the Court of Assistants power to call a special Court of Assistants

Hartford County Courts are to be held on the first Thursday in March, and the first day of September.

It is also Ordered by the Authority of this Court; That there shall be two County Courts yearly held in *Hartford*, the one the first Thursday in *March*, the other the first Thursday in *September*, by any three or more of the Assistants, to hear and determine by a Jury, or otherwise according to Law, all Causes civil and criminal, not extending to Life, Limb or Banishment; the Juries for this Court to be summoned out of the neighbour Towns, and the Marshal to give his attendance there.

New Haven County Courts are to be held on the 2d Wednesday in June & 2d Wednesday in November.

It is likewise Ordered; That there shall be two County Courts annually held in *New Haven*, the first, the second Wednesday in *June*, the other the second Wednesday in *November*, to hear and determine by a Jury, or otherwise according to Law, all Causes civil and Criminal, not extending to Life, Limb, or Banishment; the Juries for this Court to be summoned out of the Neighbour Towns.

New London County Courts are to be held on the 2d Tuesday in June & 2d Tuesday in September.

It is further Ordered; That there shall be two County Courts yearly held in *New London*, the one, the first Tuesday in *June*, the other the third Tuesday in *September*, to hear and determine by a Jury, or otherwise according to Law, all Causes civil and criminal not extending to Life, Limb or Banishment, the Juries for this Court to be summoned out of the several Plantations in the County.

Fairfield County Co. are to be held on the 2d Tuesday in March & 1st Tuesday in November.

It is also Ordered; That there shall be two County Courts yearly held in *Fairfield*, the second Tuesday in *March*, and the first Tuesday in *November* to hear and determine by a Jury, or otherwise according to Law, all Causes civil and criminal not extending to Life, Limb or Banishment, the Juries for this Court to be summoned out of the several Plantations of that County.

In each Court to be 3 Judges

It is Ordered; That every County Court shall consist of three Assistants, and where there are not so many Assistants, one Assistant and two Commissioners, at least to be Judges of every such Court.

County Co. may be adjourned upon necessary occasion

It is also Ordered; That the Moderator of the County Court (who is hereby declared to be the most ancient Assistant present in such Courts) with the consent of the rest of the Judges, upon any necessary occasion, may adjourn the said County Courts as they see cause.

Special County Co. may be called upon extraordinary occasion

It is further Ordered; That the Assistants in their respective Counties, may call a Special County Court in their Counties upon extraordinary occasion, provided no charge arise thereby to the County.

County Co. to appoint their Clerks, Treas & Marshal for their County

It is also Ordered; That the County Courts in the respective Counties, have hereby liberty and power granted them to nominate and appoint their own Clerks, and a Treasurer and Marshal for their County.

County Co. Clerks power to grant Summons and attachments and executions

It is further Ordered; That the Clerks of the several County Courts in this Colony shall have full power, and are hereby fully impowred to grant Attachments and Summons according to Law, as also to grant Execution upon Judgements granted in the said County Courts, except in cases of Review, and when Appeals be entered in any of the said Courts for tryal at the Court of Assistants.

Court secrets not to be revealed penalty is li

It is Ordered by this Court; That whatsoever Member of the General Court, shall reveal any secret, which the Court enjoins to be kept secret, or shall make known to any person what any one Member of the Court speaks concerning any person or business that may come in agitation in the Court, he shall for every such offence forfeit ten pounds to the publick Treasury; And the Secretary is hereby appointed as the beginning of every Session of the General Court to read this Order.

C R U E L T Y.

Crucity to be punished etc

IT is Ordered by the Authority of this Court; That no man shall exercise any Cruelty towards any Brute Creature, which are usually kept for the use of man, upon pain of such punishment as in the judgement of the Court the nature of the offence shall deserve.

Damages Pretended.

IT is Ordered by the Authority of this Court, That no man in any Suit or Action against another, shall falsely pretend great Damages, or Damages to vex his Adversary; and if it shall appear any doth so, the Court shall have Power to set a suitable Fine on him.

Damages pretended

Death Untimely.

IT is Ordered by the Authority of this Court, That whensoever any Person shall come to any very suddain, untimely or un-natural Death, The next Magistrate, or the Constable of that Town shall forthwith Summon a Jury of Twelve discreet men, to enquire of the Cause and manner of his Death; who shall present a true Verdict thereof unto some near Magistrate upon their Oath.

Death untimely to be inquired in to by a Jury

Delinquents.

IT is Ordered by the Authority of this Court, That all persons hereafter Committed upon Delinquency, shall bear the Charges the Country shall be at in the Prosecution of them, and shall pay to the Master of the Prison, or house of Correction, six shillings eight pence, before he be freed there from.

Delinquents to bear their own charge & to the prison keeper 6 s 8 d

IT is also Ordered, That what person or persons soever, shall take that boldness to him or themselves, to Plead in the behalfe of any person that is upon Examination or Tryal for Delinquency (except he speak directly to matter of Law, and with Leave from Authority present) he shall pay ten shillings to the Publick Treasury as a Fine, or sit in the Stocks one hour, for every such offence.

Delinquents to have no other cases

THIS Court taking notice of the Insolent and Contempruous carriage of some Delinquents, when they are called to make answer for their Delinquency before Authority; which willing to prevent, Do Order,

And it is hereby Ordered by this Court, That the several Officers and Ministers of Justice in this Colony, upon their examination or tryall of any person or persons brought before them for Delinquency, if any such persons shall in their words or actions carry contemptuously or disorderly, it shall be in the Power of the aforesaid ministers of Justice to inflict such punishment upon them as they shall judge most suitable to the nature of their Offence. Provided, that no particular Minister of Justice shall inflict any other punishment upon such person or persons then in prisonment, binding them to the Peace or good Behaviour, till the next County Court in that County, Committing them to the Stocks, there to sit not above two hours, or a fine not exceeding thirty shillings.

Disorderly Delinquents upon examination

to be punished by imprisonment

binding to good behaviour, or to the Peace, or to the County Court

Debts, Book-debts when to determine, &c.

IT is by this Court Ordered, that all such Debts as are now standing out, or that hereafter shall be made, and that shall not within three years after the first of June 1673. Or within three years after such Debt as hereafter shall be made, be accounted for, or Ballanced with the original debtor or his Assignee, Agent, Assignee, or other Lawfull Successor or Substitute, and an account or ballance thereof, assured by Specialty given for it, or witnessed by subscribing the Debtor or other Accomptants name to the Creditor's Book, or the Subscription of the Witnesses to such Accompt, shall not be pleadable in any Court, unless such Book debt shall within the time before limited be prosecuted or proved in such Court as hath proper cognizance thereof.

Book debts to be accounted for within 3 years after made or else not pleadable after the time specified in this order

Proviso

of by competent evidence approved by the Court, and the evidence there Recorded, and the Record thereof shall secure the Creditor, his Executors, Administrators and Assigns, unless the Debtor or his Assign shall disapprove the same within one year after such proof made or recovery of the said Debt: If such Debtor, his or her Agent, Attourney, Assign, Substitute, Executor Administrator, or other lawful Successor, be or shall be within this Jurisdiction, or elsewhere, and have due notice from the Creditor thereof.

Deputies for the General Court

Towns liberty to send deputies

Deputies to have the full power & voice of the free men in all things except the 2. &c

Deputies power to determine differences about their Election

Deputies to take this Oath &c

The Deputies of the Gen Court be Freeman, & chosen by the Freeman

Deputies allowed to be compensated

Deputies departing the Co. without licence to forfeit their allowance granted them from the Country

Deputies to be sworn to the Oath of Allegiance by the Court to the License

It is Ordered by the Authority of this Court; That every Town in this Colony shall have liberty to send one or two Deputies to every Session of the General Court, which Deputies shall alwayes be chosen by the Freeman of the several Plantations. And that such persons as shall be hereafter so deputed by the Freeman of their Plantations to deal in their behalf in the publick affairs of the Colony, shall have the full power and voices of all the said Freeman deputed to them for the making and establishing of Laws, and Repealing them, Granting of Lands, and Levies, and all other the affairs of this Colony in the General Assembly wherein Freeman have to do, the Election of Assistants and other publick Officers only excepted, at the usual time of Election, wherein every Freeman is to give his own voice.

It is also Ordered; That when the Deputies of the General Court are met together before, or at any General Court, it shall be lawful for them, or the major part of them present, to examine, hear and determine any difference that may arise about the Election of any of their Members.

It is further hereby Declared; That the Deputies of the several Plantations before they proceed to Judgement in any case, civil or criminal, shall take this following Oath;

I do Swear by the most Great and Dreadful Name of the Ever-living God, that in all cases wherein I am to deliver my Voice or Sentence against any Criminal Offence, or between Parties in any civil Case, I will deal uprightly and justly according to my best Judgement, without respect of Persons, and will according to my skill and ability assist in all other publick affairs of this Court faithfully and truly according to the duty of my place, when I shall be present to attend the same.

It is also Ordered; That no person shall be accepted a Deputy in the General Court that is not (known to be a Freeman of this Corporation, and) orderly chosen thereunto by the Freeman of that Plantation for whom he serves.

It is further Ordered; That the allowance by this Court formerly granted to the Deputies, both from the Country, and the Plantations for whom they serve shall still be continued, till this Court order otherwise.

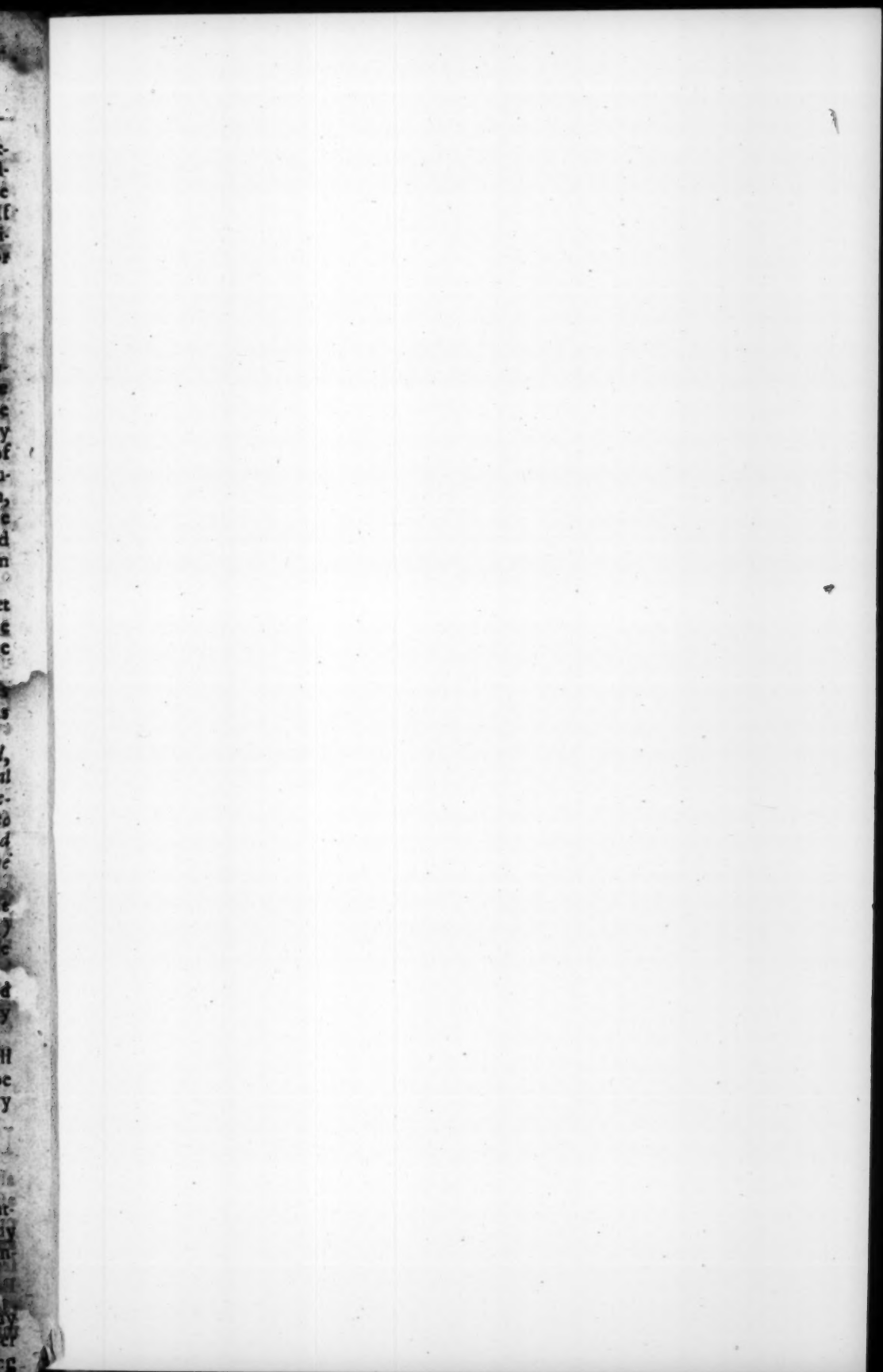
It is also Ordered; That if any of the Deputies of the General Court shall totally depart without leave from the General Court, before the Court be issued, he or they that shall so do, shall forfeit that allowance that the Country allows for the defraying his charge of attendance in the Court.

Distilling Corn and Malt.

It is Ordered by the Authority of this Court; That no Corn or Malt whatsoever shall be distilled into Liquors in any Plantation or Peculiar in this Colony without a particular license for the same from the County Court of that County where the Distiller lives.

DISTRESSE

It is Ordered by the Authority of this Court; That no Mans Corn or Hay that is in the field, or upon the Cart, nor his Garden stuffe, nor any other thing



thing subject to violent decay shall be taken in any Distress, unless he that takes it hath previously bestowed it where it may not be embedded, nor suffer Spoil or decay, or give liberty to Intrude the worth thereof to consider any manner of stock

NOTES

There may be just a few more to the series, but the series is over.

Drunkenski.

It is Ordered by the Authority of this Court: That if any person be found Drunk in any private Family or House, he shall forfeit ten shillings to the publick Treasury: and the Owner of the house where he is found, and proved to be made drunk, shall pay *five shillings* to the publick Treasury.

ECCLÉSIASTICAL.

It is Ordered by the Authority of this Court; That no person within this Colony shall in any wise embody themselves into Church Esges without the consent of the General Court, and approbation of Neighbour Churches.

It is also Ordered by this Court; That there shall be no Ministry or Church Administration entertained or attended by the Inhabitants of any Plantation in this Colony, distinct and separate from, and in opposition to that which is openly and publicly observed and dispensed by the approved Minister of the place, except it be by approbation of this Court and Neighbour Churches upon penalty of the forfeiture of *five pounds*; for every breach of this Order. Provided also, that this Order shall not hinder any private meetings of good persons, to attend any duties that Christianity and Religion call for, as Fasts and Conferences, &c. nor take place upon any that are hindered by just and necessary reasons on the Sabbath from the publick Assembly by weather or water.

This Court having seriously considered the great Divisions that arise among us about matters of Church Government, for the Honour of God, and the good of Churches, and preservation of the publick peace, greatly concerned

Do Declare; That whereas the Congregational Churches in these parts for the general of their Profession and practice have hitherto been approved; we can do no less then approve & countenance the same to be without disturbance until better light in an orderly way doth appear. But yet furnished as this dry persons of worth for prudence and piety amongst us are otherwise persuaded (whose welfare and peaceable satisfaction we desire to accommodate) This Court doth Declare; That all such persons, being so approved according to Law, as Orthodox and Sound in the Fundamentals of Christian Religion, may have allowance in their persuasion and Profession in Church ways & Assemblies without disturbance.

other summons from year to year shall or may upon the second Thursday in May yearly, either in Person or Proxies, at Hartford attend and consummate the Election of Governour, Deputy Governour, and Assistants, and such other publick Officers, as shall be appointed them to be chosen.

And the Electors Proxies may call in any manner, and at any time, and place, as they shall think fit.

It is Ordered by the Authority of this Court; That the Secretaries for the time being, shall with the Orders of Otober Court yearly, send at day of the names of all those who by the said General Court in Otober, shall be appointed to stand in Nomination for Election the May following, which the Constables in each Town shall publish to the Freemen, and in the Freemen in the respective Towns that be warned by the Constables, and a number of them to meet when the Court shall come upon the said day, and they shall be bound to do so, and they shall have lead to them of the Court, and a list of names of persons who shall be nominated, and the names of those who shall stand for themselves, but of whom number the names may come, or in the said Court the name of him who they would have for Governour, for the year ensuing, fairly written upon a piece of paper, which the Constables shall receive, and in the presence of the Freemen put them up in a piece of Paper and seal them up, and write upon the outside of the paper the name of the Town, and their Warrant, the dates for the Governour; In like manner they shall do with their Votes for the Deputy Governour, Assistants, and Clerks, which shall be sealed up, and written upon as aforesaid, what they are. They shall then come to their Votes for all those that are nominated or stand for Election, which Votes shall be a Paper with some writing for the Clerk, and a blank paper with no writing on it for a Blank, and they shall be sworn that they first stand in the Nomination, and bring in their Votes for him, which shall be sealed up, and written upon as aforesaid, and so they shall proceed till they have past thorow the whole Nomination, and the Constables that receives the Votes, and seals them up as aforesaid, shall by himself or one of the Deputies of the Court, convey the said Proxies to Hartford, and deliver them at the Election, as they shall be appointed to them who are allowed to receive and for the said Votes. And at the time of Election, those that stand for Nomination shall be put to Election in the same order they are proposed, and the number required by Charter are Elected, and then they shall cease. And the Constables of each Town shall take an account of the number of all those that shall vote in their several Plantations, and send them with their Proxies.

EXECUTIONS.

It is Ordered by the Authority of this Court; That where no Hen or Owner of Horses, Lands, Tenements, Goods or Chattels can be found, they shall be seized to the publick Treasury till such Hens or Owners shall make due and satisfaction unto whom they shall be restored upon just and reasonable terms.

English not to live with Indians.

To prevent any of our people going from us and taking up their abode in a prophane course amongst the Indian Natives of this Country;

It is Ordered by the Authority of this Court; That whatsoever person or persons that now inhabit, or shall hereafter inhabit within this Jurisdiction, shall depart from us and settle or joyn with the Indians, they shall have one years Imprisonment at the least in the House of Correction.

EXECUTIONS.

Whereas by reason of the great scarcity of Money, Executions being made of several persons Goods that have been sold at very cheap rates, to the contrary damage of the Debtor;

Gill St. S

The Freemen in person or in Proxies, at Hartford attend and consummate the Election of Governour, Deputy Governour, and Assistants, and such other publick Officers, as shall be appointed them to be chosen. And the Electors Proxies may call in any manner, and at any time, and place, as they shall think fit. It is Ordered by the Authority of this Court; That the Secretaries for the time being, shall with the Orders of Otober Court yearly, send at day of the names of all those who by the said General Court in Otober, shall be appointed to stand in Nomination for Election the May following, which the Constables in each Town shall publish to the Freemen, and in the Freemen in the respective Towns that be warned by the Constables, and a number of them to meet when the Court shall come upon the said day, and they shall be bound to do so, and they shall have lead to them of the Court, and a list of names of persons who shall be nominated, and the names of those who shall stand for themselves, but of whom number the names may come, or in the said Court the name of him who they would have for Governour, for the year ensuing, fairly written upon a piece of paper, which the Constables shall receive, and in the presence of the Freemen put them up in a piece of Paper and seal them up, and write upon the outside of the paper the name of the Town, and their Warrant, the dates for the Governour; In like manner they shall do with their Votes for the Deputy Governour, Assistants, and Clerks, which shall be sealed up, and written upon as aforesaid, what they are. They shall then come to their Votes for all those that are nominated or stand for Election, which Votes shall be a Paper with some writing for the Clerk, and a blank paper with no writing on it for a Blank, and they shall be sworn that they first stand in the Nomination, and bring in their Votes for him, which shall be sealed up, and written upon as aforesaid, and so they shall proceed till they have past thorow the whole Nomination, and the Constables that receives the Votes, and seals them up as aforesaid, shall by himself or one of the Deputies of the Court, convey the said Proxies to Hartford, and deliver them at the Election, as they shall be appointed to them who are allowed to receive and for the said Votes. And at the time of Election, those that stand for Nomination shall be put to Election in the same order they are proposed, and the number required by Charter are Elected, and then they shall cease. And the Constables of each Town shall take an account of the number of all those that shall vote in their several Plantations, and send them with their Proxies.

whereas by reason of the great scarcity of Money, Executions being made of several persons Goods that have been sold at very cheap rates, to the contrary damage of the Debtor;

No English to live with Indians.

English not to live with Indians.

It is therefore Ordered by the Authority of this Court; That after publication in the public papers, an Execution shall be granted for any Debt that shall be due to any one of the Creditors, who shall make choice of one party, the Debtor or his Assigns, and the other party, who shall prize the Goods to taken upon execution, which shall be delivered to the Creditor; this course to be taken, except in such cases where the Court shall appoint Appraisers, and all such matters shall be upon the Oath.

It is Ordered by the Authority of this Court; That the Constable or other Officer of the Colony, or the Governor or Deputy Governor, or any one of them, shall have power to call forth any number of men to do any work, or to do any other thing, by compelling or otherwise, as the Constable or other Officer shall think fit, for the service of the Colony, as the Constable or other Officer shall think fit.

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FENCES. It is Ordered by the Authority of this Court; That all the Inhabitants of this Jurisdiction, shall make and maintain sufficient Fence or Fences to secure their particular fields and Inclosures, (except all sorts of Cattle, (namely Cattle, only excepted) and whatever damage is done by Cattle, through the insufficiency of Fence in such Inclosures, (except before Inclosures) shall not be recoverable by Law.

For the prevention of differences that may arise in making or setting down of Fences, as well as Meadows as Upland.

It is Ordered by this Court; That in the setting of Posts and Rails in the Meadows and Homelands, there shall be a liberty of either party of twelve Inches from the dividend line for breaking of the ground to set the Posts on, and for the laying on of the Hedge, but the Stakes and Posts are to be set in the dividend line, and in upland there is a liberty of four foot allowed for a Ditch from the dividend line for either of the bordering parties where the proportion of Fences belongs to them.

Fence viewers. It is Ordered by this Court; That in each Town in this Colony, there shall be yearly chosen two men, who shall be sworn to a due Execution of that work aforesaid, who are hereby empowered to neglects in making or repairing Fences according to the nature of the defects, and to levy the fines, and to deliver it to the Townsmen for the use of the Town, and the

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any person chosen to this work shall refuse or neglect to attend the same, he shall forfeit every thing to the Town Treasury where he resides; unless he can make it appear that he is opposed by his choice, and that others are unjustly exempted.

It is Ordered by this Court, That the Magistrates and Clerks (and such as are or from time to time shall be Deputies of the General Court while they are upon the Countries occasions) themselves and necessary attendants, viz. a Man and a Horse, shall be passage free in all Ferries throughout this Colony.

F I N E S.

It is Ordered by the Authority of this Court, That all fines and penalties laid upon any for Misdemeanors or Breaches of Law, shall be paid in good and current pay, viz. Wages, Pennies and farthings, a third of each, or Forfeiture or in that which is equivalent thereto, or by an Out cry to procure such pay.

It is also Enacted by this Court, That the charges for the keeping of Finns (both such as belong to the Colony, and such as belong to the several Counties) shall be at least once a year paid by each County, the County Marshal be appointed to levy and receive the same for the said Counties; and the County Marshal doth for the Colony.

It is also Ordered by the Authority of this Court, That all that is due for Actions to the publick Treasury, together with all such fines as shall be imposed upon persons for delinquency according to Law by the respective County Courts (not disposed of by Law to particular persons) together with what shall be raised by the Impost laid upon Wine and Liquors, and Scotage shall belong to the County Courts to defray their charge, and what remains shall otherwise be disposed by the said Courts for the best advantage of their Counties.

F I R E.

It is Ordered by the Authority of this Court, That whosoever shall kindle any fire in Woods or Grounds lying in Common or inclosed, so as the same shall run into such Common Grounds or inclosures before the first of March, or after the last of May, or on the last day of the week, or on the Lords day, shall pay all damages as come thereby, and half so much for a fine; and if he be not able to pay a fine then to be corporally punished by warrant from the Magistrate or more, as the offence shall deserve, not exceeding twenty stripes for one offence; Provided any man may kindle fire upon his own ground at any time so as no damage come thereby, either to the Colony or any particular persons. And whosoever shall willingly and willingly burn or destroy any Frame, Timber, Hewn, Sawn or Riven heaps of Wood, Charcoal, Corn, Hay, Straw, Hemp, Flax, Fence, Pitch or Tar, or any other Estate, he shall pay double damages.

F O R G E R Y.

It is Ordered by this Court and the Authority thereof; That if any person shall Forge any Deed or Conveyance, Testament, Bond, Bill, Release Acquittance, Letter of Attorney, or any other writing to prevent Equity and Justice, he shall stand in the Pillory three several Lecture days or publick meetings, and render double damages to the parties or party wronged thereby, and also be disenfranchised to give any evidence or verdict in any Court, or before any Magistrate.

any person who is not a resident in the colony shall not be entitled to the same

Magist. & Deputy carry free

any such fine shall be paid in current pay or at such value as the court shall direct

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Fornication
to be punished

It is Ordered by the Authority of this Court, that all persons who commit Fornication with any single Woman, they shall be punished, whether enjoying to Marriage, or fine, or Corporal punishment, at the discretion of the Court of Magistrates shall judge most agreeable to the Word of God.

Foreigners

It is Ordered by the Authority of this Court, that all persons who are not born in this Colony, shall not be admitted to Trade with the Indians, until they have been first examined and approved by the Court of Magistrates.

VV Herein the French and Dutch do challenge, that the Court of Magistrates, and the Court of the Governor, have no power to examine and approve of them, and animating of them against us, as by daily experience we find; and whereas the aforesaid French and Dutch do prohibit us all Trade with the Indians within their respective Jurisdictions under penalty of Confiscation:

It is therefore Ordered by this Court, that no person shall not be lawful for any Frenchman, Dutchman, or other person, who is not a subject of the English Nation, or English law, to come to the limits of the Jurisdiction of this Colony, either directly or indirectly, by themselves or others, under penalty of confiscation of all such Goods and Chattels, as well as of the Trade, or the due value thereof, upon the first seizure of the Goods, and Chattels, to Trading or Trade, and it shall be lawful for any person, who is a subject of the English Nation, to make such use of his own Goods and Chattels, as he shall think fit, within the Jurisdiction of this Colony, as by this Law is prohibited, that the said persons shall have the proper use and benefit of the Colony, and the other persons, who are subjects of the English Nation, shall not be prejudiced.

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It is also Ordered, that in case any Freeman shall walk scandalously, or commit any scandalous offence, it shall be in the power of any of our Court of Assistants to Disfranchise such Freeman, who shall stand Disfranchised until by his good behaviour the Court of Assistants shall see cause to restore him to his Freedom again.

It is also further Ordered by this Court, that such persons as are approved to be Freeman of this Colony, they shall take the Oath that is already established upon Record to be administered to the respective Freeman; And further, that all such persons shall refuse to take the said Oath, though otherwise they are approved persons, yet they shall not partake of the privileges of the Freeman of this Colony until the said Oath be administered to them.

G A M I N G It is Ordered by the Authority of this Court, that no person shall be admitted to play at the Game of Shuffle-board, or any other Game, in any House of Common entertainment, until they have been first examined and approved by the Court of Magistrates.

Upon complaint of great disorder by the use of the Game called Shuffle-board, in Houses of Common entertainment, whereby much private time is spent idly, and much waste of Wine and Beer is consumed;

It is therefore Ordered by the Authority of this Court, that no person shall henceforth use the said Game of Shuffle-board, or any other Game in any such House, nor in any other House used as a common for such purpose, upon the

the Court
to give with
by Indian in this
jurisdiction

penalty confisca
tion of all such
Goods and Chattels

who may take
such

Freemen shall
cases

qualifications

reception

scandalous Freeman
men who be disfranchised
and upon good
behaviour restored to their free
dom

All Freeman to
take the Freeman
Oath

Shuffle-board
prohibited

the penalty for every keeper of such house to forfeit for every such offence twenty shillings, and for every person playing within the said Court-house, such house, to forfeit for every such offence five shillings.

Whereas the Court hath not so fully as may be thought, determined what they disapprove and prohibit the use of

This Court do therefore now Order; That if any person or persons in this Colony of what rank or quality soever, shall after the publication of this order, play at Cards, Dice or Tables, the persons playing, or that shall play more or less at any of the aforesaid Games, shall pay for every offence twenty shillings to the publick Treasury, and the head of that family where the said Game is used, with the privity or consent, shall pay in like manner twenty shillings for each time any such Game is played in his house, one third part of the fine shall be to the party or parties that discover the offence, the remainder to the Treasury.

Wheras it is found by experience, that some men will be very injurious to their Neighbours, by throwing down the Gates and Bars, and leaving open the Gates of Corn fields and Meadows, where much damage hath or may accrue to the Proprietors of such fields, meadows, and pastures.

It is Ordered by the Authority of this Court, That no person shall throw down, or leave open any Gate, Bars or Fences of any Corn field or Meadow, he shall pay as a fine for every such default ten shillings to the person complaining and proving the same, the rest to the Proprietors of the said Fields, and answer all damages that shall come thereby, any one Assistant or Commissioner to hear and determine any such case.

Grand jury, it is Ordered by the Authority of this Court, That the Clerk of the several County Courts, shall by their Warrants require one or more than one, able and judicious man or men of every Plantation in their County, to appear at their County Court to serve on or for Grand jury, who are by the said Court, or by one of the Assistants or Commissioners at the Court shall appear, to be sworn to a faithful attendance on that work of making presentment of such persons of Law or other Misdemeanours, which come to their cognizance, and if any Grand jury men so warned, shall neglect to appear according to Warrant, or refuse to take his Oath, he shall forfeit twenty shillings to the County Treasury.

Guards at Meetings, &c. It is Ordered by the Authority of this Court: That there shall be a Guard appointed in every Plantation to attend on the Sabbath and other days of publick Worship complete in their Arms with Powder and Bullets at half five charges) and in every Plantation where there are one hundred Soldiers, there shall be twenty to serve on the Guard, and in no Plantation shall there be less than eight Soldiers and a Sergeant; And every Soldier that is of the guard shall have allowed them half a pound of Powder a piece in the Town annually. And it is further Ordered; That the chief Military Officers in every Plantation, shall call forth so many of their Train band as by order are required to serve on the Guard to attend that service; Provided that no person shall be compelled to attend that service, save as he is bound by the Oath of the Guard are to take care that their respective companies attend the Guard with their Arms well fixed, and with Powder and Bullets according to Law, to the

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It is Ordered by this Court; That the Governor, or Deputy Governor, or any three Assistants concurring, shall have power to Reprieve a condemned Malefactor to the next General Court.

Cards, Dice and Tables not to be played at

penalty 20 s.

attached to the Informer

to Informer

to Informer

to Informer

to Informer

to Informer

to Informer

to Informer

to Informer

the Gov. & Council
to have a better
view of

It is also Ordered, That the Governor, and in his absence the Deputy Governor, shall have a sitting twice a week, or oftener, in the Court of Assizes or Sessions, to hear the President or Moderator have in all civil Causes as a Justice of the Peace.

the said Court
shall be held
at the Court

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such Hereticks
to be committed
to prison or sent
away, if necessary
by the Court

Do hereby Order, That no person in this Colony shall give any unnecessary entertainment to any Quaker, Friend, or other notorious Heretic, upon penalty of five pounds for every such persons entertainment, to be paid by him that shall so entertain them. And five pounds per Week shall be paid by each Town that shall suffer their entertainment as aforesaid.

Such Hereticks
to be committed
to prison or sent
away, if necessary
by the Court

It is also Ordered by the Authority of this Court, That it shall be in the power of the Governor, Deputy Governor or All Justices to order, that all such Hereticks as shall be committed to Prison, or taken out of the Colony, and so return back, shall be put into a stocks with any such Heretic, upon the penalty of twenty pounds.

Such books
to be committed
to prison or sent
away, if necessary
by the Court

And it is further Ordered, That no person within this Colony shall keep any Quakers books or Manuscripts containing their Errors (except the Governor, Magistrate and Clergy) upon penalty of ten pounds per time for every person that shall keep any such Books after the publication hereof, and shall not deliver such Books to the Magistrate or Minister.

Such books
to be committed
to prison or sent
away, if necessary
by the Court

It is also Ordered, That all such Books when, and wheresoever they are found, except such as shall be in the hands of the Governor, Magistrate or Minister, shall be seized and delivered to the Magistrate or Commissioner, to be kept by them till the next County Court in that County, and then the said County Court shall take care and full order that all such Books as aforesaid be utterly suppressed.

He Master of
sells to such
Hereticks if they
do they are to
suffer the
same penalty

It is also Ordered, That the Master of any Vessel shall land such Hereticks in this Colony, if they do, they shall be liable to transport them again out of this Colony, or any one of them, at their full setting sail from the Port where they landed them, upon penalty of twenty pounds to be paid by the said Master, if he shall not transport them as aforesaid.

High Ways

the said Court
shall be held
at the Court

Whereas the maintenance of High ways is a charge for the public use, and the same is necessary for the convenience and safety of the people, and the profit and advantage of the people in the use of the same, it is Ordered by the Authority of this Court, That

the said Court
shall be held
at the Court

It is therefore thought fit and Ordered by the Authority of this Court, That each Town within this Colony, shall every year chuse one or two of their Inhabitants to be Surveyors, or one of each, and oversee the mending & repairing of the High ways within their several Towns respectively, who have hereby power allowed them to call on the several officers or Towns for labour within their Towns, viz. Magistrates, Commissioners, Ministers, Ruling Elders, Flytingers and Schoolmasters, &c. for two days at least in each year, and so many more in his or their judgment shall be found necessary for the attaining of the aforesaid end to be directed in their works by the said Surveyor or Surveyors: and it is left to his or their discretion to require the labour of the foremost persons in any Family or Town &c. one person where such are as be found most advantageous to the publick benefit, if they give at least three days notice or warning before hand of such employment, and if any re-

their power
whenever
from labour
every person
possible to work
to work a days
at least per year
g days notice to
at given

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2

Use or neglect to attend the service in any manner aforesaid, he shall forfeit for every dayes neglect of a mans work *three shillings*, and of a Team *five shillings*; which said fines shall be employed by the Surveyors to hire others to work in the said wayes: And the Surveyors shall within four dayes after the several dayes appointed for work, deliver into some Magistrate a true presentment of all such as have been defective, with their several neglects, who are immediately to grant a Distress to the Marshal or Constable for the levying of the incurred forfeiture, by them to be delivered to the Surveyors for the use aforesaid; And if the Surveyor neglect to perform the service hereby committed to him, either in not calling on all the inhabitants in their several proportions as before, or shall not return the names of those that are deficient, he shall incur the same penalty as those whom he passes by are lyable to, by virtue of this order, which shall be employed to the use aforesaid, and to be levied also by distress upon information and proof before any one Magistrate.

penalty every person reg. h. 2 s. a. Team 6. s

Surveyors to present neglects

Penalties to be levied and how employed.

Surveyors neglect to be fined.

and fines levied

Hides and Tallow not to be Transported.

It is Ordered by the Authority of this Court: That after the publication of this Order, if any person in this Colony shall endeavour to transport or send away any raw hide or hides, or tallow out of this Colony, by shipping them aboard any vessel for that end, he shall forfeit the said Hides and Tallow so shipped, or the value thereof, one third part thereof shall be to him that discovers the transgression, and complains thereof, the other part to the publick Treasury.

Raw hides and Tallow not to be transported, upon pain of forfeiture.

It is also Ordered; That no Master of any ship or other vessel, shall receive any such Hides or Tallow as aforesaid, aboard his ship or vessel, to be so transported upon the like penalty; Provided that any person, stranger or other may transport any Hides or skins brought from beyond seas by way of Merchandize, or the skins of Beaver, Moose or Otter.

No Master or Ship, &c. to receive such hides or Tallow upon like penalty.

Home Lots.

Whereas there hath been a great abuse in several Towns and Plantations in this Colony, of buying and purchasing Home lots, and laying them together, by means whereof great depopulation may follow, for the prevention whereof, It is Ordered by the Authority of this Court: That all dwelling or mansion houses, that are or shall be allowed in any Plantation or Town within this Jurisdiction, shall be upheld, repaired and maintained sufficiently in a comely way, as also, whosoever shall possess and enjoy any Home lots within any such Plantation or Town that is not yet built upon, he shall within twelve months after the publication hereof, erect and build a house there in for an Inhabitant to dwell in, if his Lot be one Acre and half, unless the Court upon knowledge of the case, finde cause to abate or give longer time for building, upon the penalty of twenty shillings per year, for every breach of this order, to be paid to the Town Treasury.

Home lots to be built upon, upon penalty of 20 s. per year.

HORSES.

For the upholding of a good breed of Horses in this Colony:

It is Ordered by this Court: That no Stone Horse above two years old shall be suffered in Commons or Woods at liberty, unless he be of comely proportion, and sufficient stature, not less then eighteen hands high, reckoning four inches to a hand, and be viewed and allowed by the major part of the Select men of the Town where the owner liveth; and if any person or persons turn any Stone Horse upon the Commons, or at liberty, or in the Woods, being not viewed and allowed as before, he or they shall forfeit twenty shillings a month for every Stone horse running at liberty after he is two years old, which penalty the Select men are to order the levying thereof, and employ it to the

Stone Horse, less then eighteen hands high, and of comely proportion allowed by the Major part of the Select men, not to run at liberty, penalty 20 s. per month.

Town

Towns use: And if the Select men neglect their duty herein, they shall forfeit twenty shillings for every default to the County Treasury.

It is also Ordered; That no person in this Colony shall sell any Horse or mare, great or small, to any Indian or Indians, upon the penalty of forfeiting five pounds, one third part to the complainant, the rest to the publick Treasury.

It is also further Ordered; That every person or persons, that shall sell barter, give or exchange any Horse or Horses, or shall convey or transport them out of the Colony, not to return them again, he or they shall enter every such Sale, Barter, gift or exchange, or transportation, (within ten days next after the said Sale, &c.) in the Brand-book in the Town where the beast is sold, Barter, given, or exchanged was taken up and did belong, with the natural and artificial marks, colour and age of the said Horse or Horses, paying five pence for the entry of every Horse as aforesaid, to the keeper of the Brand-book; or shall forfeit for every default herein forty shillings, one third part to the complainant, the rest to the publick Treasury.

Houses and Lands to be tendered to the Town before sold.

IT is Ordered by the Authority of this Court; That no Inhabitant in this Colony, shall have power to make Sale of his accommodations of House or Lands to any but the Inhabitants of the Town, wherein the said House and Land is situate, without the consent of the Town, or unless he have first propounded the sale thereof to the Town where it is situate, and they refuse the sale tendered or to give so much as another chapman will.

Houses and Lands to be secured for Heirs.

THE Court taking into serious consideration the great inconvenience that may ensue to Orphans, whose Parents deceasing intestate, that in their life time were possessed of a real Estate of Housing and Lands, such as may be appointed to administer to the estate, may through inconsiderateness, make Alienations of such Lands and Housing whereby the proper Heirs may come to be disinherited of that Estate, which ought to be reserved for them;

Do therefore order; That after the publication hereof, all sales or alienations of Housing or lands of persons deceased by Administrators, where is surviving any proper Heir to that state of the person deceased shall be void & of none effect, unless the same be ratified and established by the approbation of the Generall Assembly, and whatsoever distribution of estate is ordered by any civil Court in this Corporation to Legatees or proper heirs: If it be in Housing or lands the Execution or payment thereof, by the person or persons therein concerned or thereunto appointed shall be at the same value it was inventoried.

It is also Ordered; That when any persons dye intestate, the eldest Son shall have a double portion of his whole Estate, real and personal, except he hath formerly received it, in whole or in part, unless the County Court or Court of Assizes, upon just cause shall order otherwise.

Housing to be kept in repair for Legatees.

IT is Ordered by the Authority of this Court; That all such Housing as appertains to the Estate of the deceased, shall be kept in Tenable repair out of the revenue of the Land, and so to be delivered to the Legatees, at the time appointed in the distribution extraordinary casualties excepted.

Husbands and Wives not to live separate.

IT is Ordered by this Court; That no man or Woman that hath a Wife or Husband a foreigner, shall abide in the Colony so separate above two years.

Worship not to be sold to Indians penalty 5 li

Sales & exchanges of horses to be entered in the Brand book

to be paid for entering 40 s fine for breach of this law

Houses & lands to be sold to none but inhabitants of the town where it is situate without consent of the town

Sales of houses & lands belonging to heirs under age to be void in law except authorized by the General Court

Heirs to have a double portion &c

Wives belonging to men to be kept in repair & to be delivered to them

years, nor shall any that have been three years all ready separated, abide in this Colony, to separate above one year without liberty from this Court upon penalty of *forty shillings, per month* for each transgression of this order, one third part whereof shall be to the informer, the other part to the publick Treasury.

Husbands and wives not to live separate above 2 years, penalty 40 s per month

IDLENESS

It is ordered by the Authority of this Court; That no person, householder or other, shall spend his time idly or unprofitably under pain of such punishment, as the Court shall think meet to inflict; and for this end, it is Ordered that the Constable of every place, and Grand-Jury shall use special care and diligence to take knowledge of offenders in this kind, and present them to the next Magistrate who have hereby power granted to hear and determine the case according to his discretion, or transfer it to the next Court.

Idle persons to be presented to the next Magistrate. &c

IMPOST

It is Ordered by the Authority of this Court; That whatever wine or liquors are brought in and landed in any part or port in this Colony, except such as is landed for Transportation, shall pay for every Butte of Wine *Thirteen Shillings*; and *four pence*, And for every Anchor of Liquors *Three Shillings* and *four pence*, and so proportionably for all greater or lesser Casks or Quantities, all which Wines or Liquors shall be entered in such place appointed by the Court as may be most convenient and nearest to repair unto. This Order to be duly observed upon the penalty of forfeiting all such wine and liquors as are discovered, and proved to be omitted or neglected to be entered before they were landed.

Wine and Liquors to be entered with Custom Masters, every Butte of wine to pay 13 s 4 d Every Anchor of Liquors 3 s 4 d

And this Court or the County Courts are to appoint Custom Masters from time to time in the respective plantations, which said Custom Masters shall be paid for the entry of every Butt of Wine *Ten shillings*, and for every Anchor of Liquors *One Shilling*, and so proportionable for all greater or lesser Quantities.

Gen: or County Courts to appoint Custom Masters. There Fees for entry of a Butt of Wine 10 s & Anchor of Liquors 1 s

And the Merchant or owner of such wine or liquors as is landed shall deliver and pay unto the Custom Master, what is due for Custom by this Order in Country pay, or in wine or liquors, according as the Officer and Owner can agree, to the contentment and satisfaction of the said Officer, or else the owner and Officer to nominate a third man, who shall put a final price between them in point of valuation of the wines or liquors for Customs; but if they cannot agree upon notice from the Officer, the County Treasurer for the time being shall determine the price thereof, and being so Ordered the Officer and Merchant shall accept thereof.

The owner of Wines and Liquors to pay the custom thereof. In current pay the in wine and liquors appraised according to this order.

And it is further Ordered; That the Officer who is to enter the said wine and Liquors, and to receive the Customs, hath hereby power; and is required to go into all houses or Cellars where he knoweth or suspecteth any wine or liquors to be, and from time to time he shall seize upon all such wine and liquors as is not entered according to law, and also seize upon and take possession of so much Wine or Liquors as to make payment of what Customs is due according to entries made, and is refused or neglected to be paid in due manner according to this Order; And all Constables and other Officers are hereby required to assist and aid the Officer in the discharge of his duty, and helping to break open such Houses or Cellars, If the owners of such wine or liquors shall refuse to open their doors or deliver their keys in a peaceable manner, and whatsoever Officer or other person shall refuse or neglect to give their Assistance as aforesaid, and in seizing and Transporting such Wine and Liquors for the use of the publick, shall forfeit *Ten shillings* to the publick Treasury, and all forfeitures upon this Order shall go one half to the Customs Master, and the other half to the Treasury.

The Officer power to seize wine and liquors not entered in where the Custom is not paid

Constables and other Officers to assist the Officer

Wines and Liquors to be one half to the publick and the other half to the Treasury

Customs to remain to the Countries use

It is also Ordered; That the Custome of Wine and Liquors shall be and remain to the use of that Country in which those Goods are landed.

IMPRESSES.

Impresses to be by warrant from Authority

And for reasonable allowance for their service

If damage come to them to be compensated.

It is ordered by the Authority of this Court; That no man shall be compelled to do any work or service for the publique, unless it be by warrant from Authority, and have reasonable allowance therefore, Nor shall any mans cattel or Goods of what kind soever be pressed or taken for any publick use or service unless it be by virtue of warrant from Authority, nor without such reasonable prizes and hire as the ordinary rates of the Country do afford; and if the Cattle or Goods perish, or suffer damage in such service, the Owner shall be duly recompenced.

IMPRISONMENT.

It is Ordered by the Authority of this Court; That no mans person shall be Restrained or Imprisoned by any Authority whatsoever, before the Law hath sentenced him thereunto if he can put in sufficient security, bayl or mainprize for his appearance and good behaviour in the mean time, unless it be in Crimes Capital, and Contempt in open Court, or in such cases where some express Law doth allow it.

INDIANS.

Indians to be taught the knowledge of God, &c

His Court judging it meet that some means should be used to convey the knowledge of God and of his Word to the Indians and Natives amongst us: Do Order; That one or more of the Teaching Elders of the Churches in this Jurisdiction, with the help of an able Interpreter, shall be desired as often as he may in every year, to go amongst the neighbouring Indians, and endeavour to make known to them the counsels of the Lord, thereby to draw and stir them up to direct and order all their wayes and conversations according to the rule of his word; and the Governour, and Deputy Governour, and other Magistrates are desired to take care to see the thing attended, and with their own presence, so far as may be convenient, to encourage the same.

Indian sachems to pay the Trespasses of Indians under them

It is also Ordered by this Court; That where any company of Indians do sit down near any Town or English Plantation, they shall declare who is their Sachim or Chief, and that the said Sachim or Chief shall pay to the English such Trespasses as shall be committed by any Indian in the said Plantation adjoining, either by spoiling or killing of Cattle or Swine, either with Traps, Dogs, or Arrows, or other means, and they are not to plead it was done by Strangers, unless they can produce the party, and deliver him or his goods into the custody of the English, and they shall pay double damage if it were done voluntarily: The like engagement this Court also makes to them, in case of wrong or injury done to them by the English, which shall be paid to the party by whom it was done, if it can be made to appear, or otherwise by the Town in whose limits such facts are committed.

The Court's engagement to the Indians

This Court seriously considering the many wilful wrongs and hostile practices of the Indians against the English, together with their entertaining, protecting and refusing of Offenders, as late our experience sheweth; which if suffered the peace of the English cannot be secured:

Indians that offend to be seized

It is therefore Ordered by this Court; (according to the conclusions of the Commissioners of the United Colonies at New-Haven, Anno. 1646.) That in such cases the Magistrates may at the charge of the Plaintiffe, send some convenient strength of English, and according to the nature and value of the offence and damage, seize and bring away any of that Plantation of Indians that shall entertain, protect or refuse the offender, though it should be in another Jurisdiction, when through distance of place, commission or direction cannot be

with those that protect them.

had from them: after notice and due warning given them as abettors, or at least accessory to the Injury and dammage done to the English. Only women and children to be sparingly seized, unless known to be some way guilty; and because it will be chargeable keeping Indians in prison, and if they should escape, they are like to prove more Insolent and dangerous after; It is thought fit that upon such seizure, the delinquent or satisfaction be again demanded of the Sagamore or plantation of Indians guilty or accessory as before, and if be denied, that then the Magistrates deliver up the Indian seized to the party or parties endamaged either to serve or to be otherwise disposed of in way of Merchandize as the case will justify. And though we foresee that such severe though just proceedings may provoke the Indians to an unjust seizing of some of ours, yet they could not at present find any better means to preserve the publick peace, all the aforementioned outrages and Insolencies tending to an open war; only it is Ordered, that before any such seizure be made in any plantation of Indians the ensuing Declaration of the Commissioners be published, and a copy thereof given to the particular Sagamore.

The Commissioners for the United Colonies considering how peace and right business may be preserved betwixt all the English and the several Plantations of the Indians: Thought fit to Declare and Publish, That as they will do no injury to them, so if any Indian or Indians, of what Plantation soever, do any wilful damage to any of the English Colonies, upon proof, they within a peaceable way require just satisfaction according to the nature of the offence and damage; but if any Sagamore or Plantation of Indians, after notice and warning, entertain, hide, protect, keep, convey away, or further the escape of any such offender or offenders, the English will demand satisfaction of such Indian, and Sagamore, or Indian Plantation, and if they deny it they will fight themselves as they may upon such as so maintain them that do the wrong, keeping peace and all terms of Amity and Agreement with all other Indians. It is also Ordered by the Authority of this Court; That no Indian or Indians shall be suffered to make any hostile attempt upon any Indian or Indians in any English Town or House in this Jurisdiction, neither shall they march through any Town in a Hostile manner without leave from the Authority of the place.

It is Ordered by the Authority of this Court; That no Indian or Negro servant shall be required to Train; Watch or Ward in this Colony.

It is also Ordered; That for all Lands whatsoever granted by this Court to particular Towns or Persons within this Colony wherein any Indians have right and interest, the Grantee shall agree with the Native Proprietors respecting their rights to prevent further inconveniencies that might ensue or arise through neglect hereof, and this the Court doth judge requisite to be attended in all former Grants, although it hath not been imposed or incerted in the said Grant.

This Court being sensible of the inconveniencies that may come by the Indians coming into our Towns in the night season, and taking that opportunity to supply themselves with Liquors and prohibited goods;

Do therefore Order; That whatsoever Indian or Indians shall be found passing or repassing in any Town in this Colony after the shutting in of the evening, except he can give sufficient reason for the same, he shall forfeit twenty shillings, fifteen shillings to the Treasury and five shillings to the Complainer, or be whipt six stripes, any one Assistant or Commissioner hath power to hear and issue any such complaint.

And the said Assistant or Commissioner before whom any such complaint shall come, hath hereby power granted him to secure such Indian or Indians by committing them to Prison, or setting a Watch upon them till they may have opportunity to hear and issue such complaints; This order to be published to the Indians in or about each plantation in this Colony.

Women & children to be sparingly seized

Indians seized to be delivered to the party damaged

The ensuing Declaration to be published

Commissioners Declaration

Indians not to march through any Town in a hostile manner without leave

Indians not to march through any Town in a hostile manner without leave

nor train nor watch or ward

Indian rights to be considered for by the grants

Indians not to pass in our towns after evening but pen. 20s. or 6 stripes

Ass. or Commis. power to secure such Ind. for a trial, this order to be published to the Indians

Prophanation of
the Sabbath by Indi-
ans &c. penalty 5
s. or sit in Stocks
an hour.

Powwring for-
bidden pen. 5 li
persons of 21
years of age
countenancing
the same pen-
ty 20 s.

22TH NOVEMBER
1682

Indian Murde-
rs to be put to
death

and secured for
a Tryal
of 20 s. shall
be put to death
if not paid
within 10 days
of the Tryal

Complaints of
Presentments to
be made within
a year

For the prevention of the breach of the Sabbath by the Indians within this Colony

It is Ordered by this Court; That whatever Indian or Indians shall labour or play on the Sabbath within the English limits, and on the English Lands, he shall pay *five shillings* as a fine, half to the Treasury, and the other half to the Comptroller, or sit in the Stocks one hour; any one Assistant or Commissioner to determine any such complaint: The Constables in each Town are required to publish this Order to the Indians inhabiting within their respective limits.

It is also Ordered; That no Indian shall at any time Powwow or perform out-ward worship to false Gods, or to the Devil within this Jurisdiction, upon the penalty of the forfeiture of *five pounds*, to be paid to the publick Treasury by every such Powwow, and *twenty shillings* by every person of the age of *twenty one years* that shall countenance the same by his presence.

Whereas it is too manifest that the Natives above us, notwithstanding all Counsel and Advice (to the contrary) given them by the Authority here, have, and still do proceed to commit Murders, and kill one another within the English Plantations, and upon the English Land, and take no course that such justice be executed upon such Malefactors, as may take off the guilt of blood from the Land; For the prevention whereof

It is Ordered by the Authority of this Court; That for the future, whatever Indian or Indians shall wilfully and violently fall upon any Indian or Indians within this Colony, and upon the English Land (except it be such that they are at open war with) and murder him (if it be legally proved) he shall be put to death; And if the Indians do not Execution upon such Murderers or Murderers, forthwith the next civil Officer upon information thereof shall forthwith cause him or them to be Apprehended, and without Bail or Main-prize commit him or them to the Common Goal, there to be secured for a Tryal at the next Court of Assistants, and the Constables in the several Plantations are hereby required to take due course that this Order be duly published to the Indians within their respective limits.

INDICTMENTS.

It is Ordered by this Court and the Authority thereof; That no person shall be Indicted, Presented, Informed against, Complained of to any Court or Magistrate within this Colony, for the breach of any penal Law or any other Misdemeanour, the forfeiture whereof belongs to the Country, unless the said Indictment or Complaint be made and exhibited within one year after the offence be committed; and if any such Indictment, Presentment, Information or Complaint be not made within the time limited, then the same shall be void and of none effect; provided always this Law shall not extend to any Capital offence, nor any Crimes that may concern loss of Member or Bastardment, or to any Treachery against the Colony, nor to any Felonies above *ten shillings*, nor shall it hinder any person grieved by any wrong done to him or his Wife, Children or Servants, or Estate real or personal, but that every such person shall have remedies as formerly he might or ought to have.

IN-KEEPERS.

Forasmuch as there is a necessary use of Houses of Common Entertainment in every Jurisdiction, and of such as retail Beer, and Wine, and Victuals, yet because there are many abuses of that lawful liberty, both by persons entertaining, and persons entertained, there is also need of strict Laws and Rules to regulate such employments.

It is therefore Ordered by the Authority of this Court; That no person or persons

persons licensed for Common entertainments, shall suffer any to be Drunken, or drink excessively, viz. above half a pint of Wine for one person at one time, or to continue tipping above half an hour, or at unreasonable times, or after nine of clock in the night, in or about any of their Houses, on penalty of five shillings for every such offence, and every person found Drunken, so as to be thereby bereaved or disabled in the use of his understanding, appearing in his speech or gesture in any of the said Houses or elsewhere, he shall forfeit ten shillings to the publick Treasury, and for excessive Drinking three shillings and four pence, and for continuing Tipping above half an hour two shillings and six pence, and for Tipping at unreasonable times after nine of clock at night five shillings for every offence in these particulars, being lawfully convicted thereof, and for want of payment, such shall be imprisoned till they pay, or sit in the Stocks one hour or more in some open place as the weather will permit, not exceeding three hours at one time; Provided notwithstanding, such licensed persons may entertain Sea-faring men, or Land Travellers in the night season when they come first on shore, or from their journey for their necessary refreshment, or when they prepare for their Voyage or Journey the next day early, so as there be no disorder among them, and also Strangers, Lodgers and other persons in an orderly way may continue in such Houses of Common Entertainment during Meal times, and upon lawful business what time their occasions shall require.

And it is also Ordered; That if any person offend in drunkenness, excessive or long drinking the second time they shall pay double fines, and if they fall into the same offence the third time, they shall pay treble fines; and if the parties be not able to pay their fines, then he that is found Drunk shall be punished by whipping to the number of ten stripes, and he that offends by excessive or long drinking, shall be put into the Stocks for three hours when the weather will not hazard his life or limbs; and if they offend the fourth time, they shall be imprisoned till they put in two sufficient Sureties for their good Behaviour.

And it is further Ordered, That the several Towns within this Jurisdiction shall provide amongst themselves in each Town one sufficient Inhabitant to keep an ordinary for Provision and Lodging in some comfortable manner, that Passengers and Strangers may know where to resort; And such Inhabitants as shall be chosen by the several Towns for that service, shall be presented to the next County Court in that County, or to the two next Magistrates to be approved and licensed to attend that employment; and every Town that shall not attend this Order, shall forfeit for their neglect therein forty shillings a month (for every month they shall be defective therein) to the publick Treasury.

It is also Ordered; That every person licensed for Common Entertainment shall have some suitable Signe set up in the view of all Passengers for the direction of Strangers where to go, where they may have entertainment; and such as shall have no such Sign by the first of September next, shall pay a fine of twenty shillings to the Publick Treasury, and so twenty shillings every quarter of a year till they have effected the same.

And it is also Ordered; That every In-keeper or Victualler shall provide for Entertainment of Strangers Horses, viz. one or more Inclosures for Summer, and Hay and Provender for Winter, with convenient Stable room and attendance, under penalty of two shillings six pence for every dayes default; and double damage to the party thereby wronged, except it be by inevitable accident.

It is also further Ordered; That no In-keeper, Victualler, Wine drawer, or other, shall deliver any Wine or Liquors, or suffer any to be delivered out of his House to any which come for it, unless they bring a note under the hand of some one Master of a Family and allowed Inhabitant of that Town, and with such moderation for quantity as they may have reason to conceive it may not be abused, and shall be ready to give an account of their Goods herein

Inkeepers to suffer none to be Drunk or Tiptle unreasonably

Drunkness described
20 sh punishment
40 sh punishment
penalty 10 s dose

Excessive drinking 4 d
& for tipping 2 s 6 d

unreasonable tipping 5 s
for want of pay for imprisonment or for extra stocks &c hours

proviso

For second offence double
fines third offence treble
punish by whip

fourth offence to be imprisoned till sufficient sureties for the good behaviour be provided

Every Town shall have an ordinary upon the penalty of 40 s per month

Every ordinary to have a sign per the first of September 1673 upon pain of forfeiting 20 s &c

In-keepers duty
pen 2 s 6 d per diem

Wine or liquors drawn out of house may not be delivered out of their house

when they are called thereto under censure of the Court in case of delinquency.

When Inhabitants to be received.

persons to be received Inhabitants must be of honest conversation &c.

It is Ordered by the Authority of this Court; That no person shall be received as Inhabitant into any Town in this Colony (but such as are known to be of an honest conversation and) accepted by the major part of the Town.

INVENTORIES.

Inventories to be made and exhibited in Court proved and recorded.

It is Ordered by the Authority of this Court; That after the death and decease of any person possessed of an Estate, be it more or less, and who maketh a written or nuncupative Will, those men which are appointed to order the affairs of the Town where any such person deceaseth, shall within one moneth after the same at farthest, cause a true Inventory to be taken of the said Estate in writing, as also take a copy of the said Will or Testament, and enter it into a Book, & keep the Copy in safe custody, as also enter the names upon Record of the Children and Legatees of the Testator or deceased Person, and the said Select men are to see every such Will and Inventory to be exhibited to the next County Court in that County, where the same is to be proved & Registered; and the said Select men are to do their best endeavours in seeing that the Estate of the Testator be not wasted nor spoiled, but be improved for the best advantage of the Children or Legatees according to the mind of the Testator for their and every of their use: but when any person dyeth intestate, the said Select men shall cause an Inventory to be taken and exhibited into the next County Court in that County, which Court shall grant the Administration of the Goods and Chattels to the next of Kin, jointly or severally, and divide the Estate to Wife (if any be) and Children, or Kindred according to Law, and for want of Law, according to rules of Righteousness and Equity: And if no Kindred be found, the Court to Administer for the publick good of the Colony, provided there be an Inventory Registered, that if any of the Kindred in future time appear, they may have justice and equity done unto them; and all charges that the Publick, Court or Select men are at, about the trust committed to them either for writing or otherwise, is to be paid out of the Estate. And if any person concerned in the Estate, shall conceive that the distribution made by the County Court be not either according to Rules of Justice or Equity, there is liberty hereby granted for the agrieved party to apply himself to the Court of Assistants for relief.

Select men to see the Estate proved.

If no Kindred be heard of, the Court to administer.

All charges about securing of the estate to be paid out of the estate.

person unsatisfied with the distribution may appeal to the Court of Assistants.

Wills and Invenories to be recorded &c.

Wills proved in one Colony to be accepted in the rest.

And it is also further Ordered; That the Clerks of the County Courts, shall Record all Wills and Inventories that are exhibited in the County Courts and approved, and file the Original of them, and grant copies of them to such as shall desire and pay for them.

Whereas also it was recommended by the Commissioners of the United Colonies, that for the more speedy and free passage of Justice in each Jurisdiction to all the Confederates; if the last Will and Testament of any person be duly proved in, and certified from any one of the Colonies, it be without delay accepted and allowed in the rest of the Colonies, unless some just exception be made against such Will on the proving of it, which exception to be forthwith duly certified back to the Colony where the said Will was proved, that some just course may be taken to gather in and dispose the Estate without delay or damage.

Planters dying intestate shall administration be granted by that Colony to which he belongs.

And also, that if any known Planters or settled Inhabitants dye intestate, Administration to be granted by that Colony unto which the deceased did belong, though dying in another Colony: And the Administration being duly certified, to be of force for the gathering in of the Estate in the rest of the Colonies, as in the case of Wills proved where there is no just exception returned.

But if any Person possessed of an Estate who is neither Planter nor settled Inhabitant in any of the Colonies dye intestate, the Administration (All just cause being found to give Administration) be granted by that Colony where the person shall dye and depart this Life, and that care be taken by that Government to gather in and secure the Estate until it be demanded, and may be delivered according to Rules of Justice: which upon due consideration was confirmed by this Court in behalf of this Colony and Ordered to be attended in all such occasions for the future; Provided the General Courts of the other Colonies yield the like assent thereunto.

It is Ordered by the Authority of this Court: that all Cases which are entered for trial in any County Court under forty Shillings, the Suit shall be first to be heard by the Bench, as they shall judge most agreeable to Law, Rules of Right, Conscience and Equity.

And all Cases, where the debt or damage shall exceed forty Shillings, they shall be tried by a Jury of twelve men, which men shall be impanelled and sworn truly to try between party and party who shall find the matter of Fact with the damages and costs according to Law and their conscience, and the Judges shall declare the Sentence or direct the Jury to find according to their will.

And if there be any matter of apparent Equity as upon the forfeiture of a Bond, or obligation, or breach of Covenant without damage or the like, The Bench shall determine such matter of Equity.

And in all cases wherein evidence is so obscure or defective, that the Jury cannot clearly and safely give a positive verdict (whether it be Grand or Petty Jury) they shall have liberty to give a non liquet or a Special Verdict, viz. If the Law be so in such a point, we find for the Plaintiff, but if the Law be otherwise we find for the Defendant, in which Case the determination doth properly belong to the Bench. And all Jurors shall and hereby have liberty granted them in matters of Fact, If they cannot find the main issue, yet to find and present in their Verdict so much as they can.

It is also Ordered that the Judges of the Court shall have Liberty, if they do not find in their Judgements the Jury to have attended the evidence given in and true issue of the Case in their Verdict, to cause them to return to a second consideration of the Case, And if they shall still persist in their former opinion to the dissatisfaction of the Court, it shall be in the power of the Court to impanel another Jury, and commit the consideration of the Case to them. And it is also left in the power of the Bench to vary and alter the damages given in by any Jury as they shall judge most equal and righteous, provided that what alteration shall at any time be made in that kind, it be done in open Court, before the Plaintiff and Defendant be released their attendance upon the Court.

It is also Ordered that there shall not any Trial pass upon any person or persons for Life or Banishment, but by a Special Jury summoned for that purpose consisting of Twelve able and Judicious men, and in every such Case there shall be no Verdict accepted by the Judges of any Court, but such wherein the whole Jury shall agree.

JUSTICE.

It is Ordered by this Court, that all persons within this Colony, whether they be Inhabitants or Foreigners shall enjoy the same Justice and Law that is granted for this Colony in all Cases proper to our Commerce without partiality or Favour.

Carriages.

On the first day of January 1707, the Court was informed that the Carriage of the Court was in a very bad condition, and that the Court was obliged to use the same for the service of the Court.

Application made to the Court for the administration of the Court, to be granted by the Court, as he dyes do.

In every case, the Court shall have the liberty to give a non liquet or a Special Verdict.

Cases entered under 40 s. to be tried by the Bench.

All Cases above 40 s. to be tried by a Jury of Twelve men.

Jury to find the matter of Fact, and the Judges shall declare the Sentence or direct the Jury to find according to their will. And if there be any matter of apparent Equity as upon the forfeiture of a Bond, or obligation, or breach of Covenant without damage or the like, The Bench shall determine such matter of Equity.

The Court of the Bench shall have the liberty to give a non liquet or a Special Verdict.

In every case, the Court shall have the liberty to give a non liquet or a Special Verdict.

Trials for life to be given by Twelve men.

Equal Justice to Strangers and Foreigners.

Persons who
claim to be
owners of
land in the
County of
Kent.

It is therefore Ordered by the Authority of this Court; That it shall be in the power of the County Courts to proceed against such offenders either by fine, committing to the House of Correction or other corporal punishment according to their discretion, desiring such reasonable and exemplary executions may be done upon offenders in that kind that others may hear and fear.

Land the Treasur of our Lands.

The Tenour of
our Lands.

IT is Ordered by the Authority of this Court; that whatsoever Lands have or shall be granted by the Court to the respective Townships, or to any particular person either by the Court or particular Townships, shall be held to them, their Heirs, Successors and Assignes forever, according to the most free Tenour of a Grant within the County of Kent in the Realm of England, according to our Charter Grant.

Lands not to be purchased by particular persons of the Indians.

IT is Ordered by the Authority of this Court; That no person in this Colony whether Inhabitant or other shall buy, hire, or receive as a gift, or mortgage any parcel of Land or Lands of any Indian or Indians for the future, except he do buy or receive the same for the use of the Colony or for some Plantation or Village with the allowance of the General Court.

LEATHER

This Court taking into consideration the several decreits and abuses which in some places have been practised by Tanners, Curriers, and workers of Leather, as also the abuse and inconvenience which accrues to the several members of this Colony by Leather that is secretly tanned and wrought; which is occasioned by the carelessness and unskynfulness of those several Tradesmen, which before it is in the hands of the Tanner may be much bettered or improved for preservation whereof.

It is Ordered by the Authority of this Court; that no Butcher by himself or any other person gain or cut any hide of Ox, Steer or Cow, in being thereof, whereby the same shall be impaired under the penalty of Twelve pence for every gain in any hide or skin.

Not shall any person or persons using, or which shall use the mystery of Tanning at any time hereafter, offer or put to Sale any kind of Leather which is insufficiently or not thoroughly Tanned, or which shall not then have been after the Tanning thereof well and thoroughly dried, upon pain of forfeiting so much of his or their Leather as by any Searcher or Searchers of Leathers lawfully appointed, shall be found insufficiently or not thoroughly dried as aforesaid.

Not shall any person using or occupying the mystery of Tanning at any time hereafter set down any of their Fats in Tan Hills or other places where the Wooll or Leather put into Tan, the same shall, or may take any unkind heat, nor shall cut any Leather into hot or warm Wooll whatsoever, upon penalty of forfeiting Twenty pound for every such offence.

Not shall any person using, occupying the Art or mystery of Carrying, burn or scale any hide or Leather in the carrying, but shall work the same in all respects with good sufficient House both for quality and quantity, suitable to the condition of the Leather and by him or them, on penalty of forfeiture for every such offence or to do so, contrary to the true meaning of this Order, the full value of every such Hide married by his evil workmanship or handling, which shall be judged by two or more fit discreet and skilful persons Curriers, or others, and their Oath shall be taken for that truly and without Corruption.

And every person who shall offend in any of the above said offences shall be liable to be fined or punished by the Court.

skillful within their Townships, and putting them into the County Court or Magistrate, who shall appoint and swear the said persons, by their Oath to make search and view within the limits of their Townships as oft as they shall think meet and need may be, who shall have a mark or seal prepared by each Town for that purpose, and the said Searchers, or one of them shall keep the same, and therein shall Seal such Leather as they shall find in all points sufficient, and no other way, and shall add their names and seals to the same.

And if the said Searchers or any of them shall find any Leather sold, or offered to be sold, which shall be Twonely wrought, converted or used contrary to the true intent and meaning of this Order, or shall be found for the said Searchers or any of them to seize all such Leather, and retain the same in their custody until such time as it be tried by such Tryers, and in such manner as in this Order is appointed, etc. upon the forfeiture of any Leather, the officer for seizing the same, shall within three days call to him four or five men honest and skillful in such way to view the same in the presence of the party, (who shall have timely notice thereof,) or without him, who shall certify upon their oaths unto the next County Court what the defect of the same Leather, except the parties shall before submit to their judgment.

And if any Searcher or Sealer of Leather shall neglect or refuse to take his Oath, or with convenient speed to Seal any Leather sufficiently Tanned, wrought and used, according to the true meaning of this Order, having timely notice thereof, or shall Seal that which shall be insufficient, then every such Searcher and Sealer of Leather shall forfeit for every such offence twenty shillings.

It is also Ordered, That if any Tanner shall suffer any Shoe maker in his house or else where to work up any Leather into Shoes or Boots, that is not sealed, he shall forfeit five pounds. To the publick Treasury the one half, the other to the Complainer.

It is further Ordered, that there shall be no Leather Sold or offered to be sold before it is Sealed in the Town where it was Tanned.

This Court also Orders, that the Leather Sealers in this Colony shall have allowed satisfaction for each Pickle of Leather they Seal, sixteen pence, for half a Pickle twelve pence, and for every childe, for double hides.

It is further Ordered by this Court, that the several Fines and Forfeitures mentioned in these Orders, shall be equally divided into three parts, and distributed as followeth, viz. one part to the County Treasury, another third part to the Town Treasury, wherein the offence is committed, and the other third part to the Seizer or Seizers of such Leather as is insufficiently Tanned or Converted from time to time.

His Court being informed that several black Antelope skins were sent to this Colony by the sending out Tanned Leather that are fit for upper or Sole Leather for Shoes.

It is therefore Ordered by the Authority of this Court, that for future, none shall transport or send away out of this Colony any such Tanned Hides or Leathers, upon penalty of Forfeiting such Hides or Leathers, in the value thereof. One third part whereof shall be to the Complainer, the rest to the County Treasury where the offence is committed.

LEWIS

Forasmuch as the Marshal and other Officers have complained to this Court, that they are oftentimes in great danger to demean themselves in the execution of their Office.

It is Ordered by this Court and the Authority thereof, That in case of Fines and Attachments to be levied, and Execution in civil Cases, the Officer shall

Searchers to be chosen and sworn

their duty

Sealed or Tanned
defective leather
to be seized

Searcher defaulting

penalty twenty shillings

Tanners not to suffer leather to be wrought up that is not sealed
penalty five pounds

No Leather to be sold before its Seal

Leather Sealers Fees

How Fines are to be distributed

Leather wrought and sent out of the Colony
Sealed or Tanned

Marshal and other Officers

1000

1994

necessary charges
to be Levied
with the Execu-
tion of the same

Necessaries for
the upholding of
life not to be Le-
vied &c

Officers how far to look out means Estate

Officers doing injury to make religion

1941

THE UNIVERSITY OF CHICAGO

1900

Noted for the
the following
are of the

years lying
down

STANDARD WASH

penalty

First Office
101 & C

Second Office
30 1 &c

Third Office
40 & 3c

Food & Office
do not interfere,
and I am sure

To be corrected
by their parents

of GOVERNORS,

Florida

100-100000

500/1.2

deputy or some other party, or of his own ample power of full abode; and upon a lawful demand, he shall have power (calling the Constable, if he be called for his Assistance) to break open the door of any House, Chest, or place where he shall have notice that any Goods liable to such Levy or Execution shall be, and if he be to take the same he may take the like; if upon demand he shall refuse to surrender himself, and whatsoever or chargeable Officer shall necessarily be put unto upon any such occasion, he shall have power to Levy the same, as he doth the debt, Fines, and Executions; And when the Officer shall Levy any such Goods upon Execution, as soon as he conveyeth to the place where the same dwell, or where such Execution shall be Levied without considerable charge, he shall Levy the said charge with the Execution. The like Order shall be observed in levying of Fines: Provided it shall not be lawful for such Officer, nor any man or officer, to bring, apparel, tool, or arms, neither to break open any House, which use for the necessary upholding of his Life; nor in such case he shall Levy his land, or person according to Law, and in no case shall the Officer be put to seek any man's Estate, Farther then his place of abode; But, if the party will not discover his Goods or Lands, the Officer may take his place of abode, and search from among the same, till he find the place

And it is also Ordered, that if any Officer shall do any injury to any by con-
duct of his Office in the late or in any other Cases, he shall be liable upon com-
plaint made of the party wronged by action or information, to make full retri-
bution, to wit, to satisfy the party wronged, and to pay the costs of the suit.

and perfect peace, ballads for every one, and

all of Christians, who are the professed Servants of the God of Truth, are under the obligation to Truth, and no sort of Lye is not only sinful as all Lyes are, but also pernicious to the publick Weal, and injurious to the Christian Religion.

It is therefore Ordered by the Authority of this Court; That every person of the age of discretion, which is accounted fourteen years, who shall willingly and willingly make, or publish any Libel, which may be pernicious to the publick Weal, or tending to the damage or injury of any particular person, be dooming, and exposing the people and false Newscir reports, and the same dul-

that any and all persons who say the Magistrate, who hath chiefly power granted to hear and determine all offences against this Law, Such persons shall be fined for the first Offence *Two shillings*; and if the party be unable to pay the fine, then he shall make Straws to long with the said Court or Magistrate shall appoint, in some open place not exceeding *Three Hours*, for the second Offence

in that kind where any shall be legally convicted, the Summe of *Twenty Shillings*, or below things, on the naked hand, not exceeding *Ten Stripes*: And for the third offence in any way *Forty Shillings*, or if the party be unable to pay, that to be whipped with more stripes, not exceeding *Thirty*: And if yet any shall offer it in like kind, and be legally convicted thereof, such person, Male or

any child shall be Fined Ten Shillings or more than formerly, or if the party refusing be unable to pay, then to be whipped with five or six stripes more than formerly, and according to Law at any time; and for all such as being under age of discretion that shall offend in lying, their Parents or Masters shall give them due correction and that in the presence of some Officer, if any Magistrate

shall be appointed: Provided also, that no person shall be barred of his just action of Slender, or otherwise by any proceeding upon this Order.

Article IV. On each of said Comrs., There it shall be in the power of this Court, and in
of the Justices of said Courts, make their respective Countries) as

grant Licenses to particular persons to Retail Wine, Liquors, Cyder or strong Beer, and none else but such as are Licensed by this Court, or a County Court (without a Ticket from the Magistrate of the place where they dwell, mentioning the quantity sent for) shall have liberty to sell any Wine, Liquors, Cyder or strong Beer by Retail, upon the penalty of five shillings for every quart so sold.

Gen. Co. & County Co. to grant Licenses: None to sell Liquors, Wine Cyder by retail without license pen. 5 s. p. quart

It is also Ordered by this Court; That for every License that is taken out from the General Court or County Courts, there shall be allowed to the Secretary or Clerk of the Court two shillings and six pence for the same, to be paid by him that hath or taketh out the License.

Secr. and Clerks dues for a license is 2 s 6 d.

This Court considering and being deeply sensible of the sad effects and consequences that attend Indians being supplied and furnished with Liquors or strong waters, whereby they have been acquainted with, and exposed unto the commission of a grievous sin, to the great dishonour of God, and abuse of themselves, and great hazard of the lives and peace of others:

Do therefore Order; That it shall not be lawful for any person whatsoever, Male or Female within this Jurisdiction, directly or indirectly, to Sell, Barter, Lend, Give or any other way under any colour or pretence whatsoever, convey to any Indian or Indians, small or great, any strong waters or Liquors, Sack or any other sort of Wine of any kinde, upon penalty of five pounds for a pint, for every Pint of either Wine or Liquors aforesaid, and twenty shillings for the least quantity (except it be in extraordinary cases by allowance from Authority, one third part of the penalty to be and belong to those that shall inform and prove the delinquency, the rest to the publick Treasury.

No person to sell wine or liquors to the Indians on pen. of 5 l. a pint & 20 s. the least quantity

This Court considering the great inconveniencies that do follow the Indians being supplied with strong Drink, &c. notwithstanding all former Orders and Endeavours to prevent the same:

Do Order; That the Accusation, Information or Testimony of any Indian or Indians (if the said Indians be found Drunk, or have any Liquors, Wine, Cyder or strong Drink unlawfully by them) may be accounted sufficient conviction of any English person whom they shall accuse, inform or testify against, that they have Sold, Given, Bartered or Conveyed Liquors unto, unless such English shall clear themselves by their Oath from any such act of direct or indirect Selling, Trucking or Lending of Wine, Cyder or Liquors, or other strong Drink to any such Indian or Indians; And it shall be in the power of the Court to impose such fines upon any such Offender as the Law Orders for such Transgression.

Ind. Test. to be sufficient except the Oath will by his Oath clear himself

The Court power upon such conviction to impose the fine the Law requires

MAGISTRATES.

This Court being sensible of the great disorder growing in this Country through the Contempt cast upon the Civil Authority, which willing to prevent.

Do Order, That whosoever shall defame any Court of Justice, or the Sentences and proceedings of the same, or any of the Magistrates or Judges of any such Court, in respect of any Act or Sentence therein passed, and being thereof lawfully convicted in any Court of Assistants or general Court; he shall be punished for the same by Fine, Imprisonment, Disfranchisement or Banishment, as the quality and measure of the offence shall deserve.

Defamers of the civil power to be punished per fine imprisonment &c

It is also Ordered by the Authority of this Court; That if any Member of any Court shall use Reproachful or Unbecoming speeches or Behaviour towards any Magistrate, Judge or Member of the Court in the face of the Court, he shall be sharply Reproved by the Governour, or other Principal Judge of the said Court for the time being; And if the person so Reproved shall Reply again without leave, he shall be bound over to the next Superiour Court to make answer for the same.

Members of Co. for unbecoming speeches in Co. to be reprov'd &c

And for preventing all excesses of Partial and Undue Proceedings in Courts of Justice, and avoiding of jealousies which may be taken up against Judges in that kinde;

In what cases a Judge must have no power to vote in Court but may give advice &c.

It is further Ordered, That in every case of a Civil nature between Party and Party, where there shall fall out so near relation between any Judge and any of the Parties, as between Father and Son, either by Nature or Marriage, Brother and Brother, in like kinde Uncle and Nephew, Landlord and Tenant, such Judge though he may have liberty to be present in the Court at the time of Tryal, and give reasonable advice in the case, yet he shall have no power to Vote or give Sentence therein, neither shall he sit as Judge, nor upon the Bench when he gives advice as aforesaid.

M A N - S L A U G H T E R .

Manslaughter in a mans just and necessary defence blameless

It is Ordered by the Authority of this Court; That if any person in the just and necessary defence of his life, or the life of any other, shall kill any person attempting to Rob or Murder in the Field or High-way, or to break into any Dwelling House, if he conceive he cannot with safety of his own person otherwise take the Fellen or Assailant, or bring him to Tryal, he shall be holden blameless.

Maritime Affairs.

Whereas through the Blessing of God upon this Jurisdiction, the Navigation and Maritime Affair thereof, is grown to be a considerable Interest, the well management whereof is of great concernment to the publick Weal; For the better Ordering the same for the future, and that there may be known Laws and Rules for all sorts of Persons imployed therein, according to their severall stations and capacities, and that there may be one Rule for the guidance of all Courts in their Proceedings, in distributive Justice;

This Court doth Order, and be it Ordered by the Authority thereof:

S E C T. I.

Minor part owners to be concluded by the major part

That whereas there is many times differences between Owners of Ships, Ketches, Barques and other Vessels, in setting forth their severall parts, whereby damage doth accrue to the particular concernment of Owners, and if not prevented, may be a great obstruction of Trade, where there are severall Owners concerned, as Owners in Ship, Ketch, Barque or other Vessel whatsoever, used for Traffick, Commerce, Fishing, Logge, Board, Wood or Stone, Carriage upon Salt or Fresh Water; all such Owners of lesser part, shall be concluded for the setting forth of his part, by the major part of the whole concerned, such Owners so concluded, having notice given them of the meeting for such conclusion, if they be nigh hand; and in case of any Owner refusing, or by reason of neglect or absence, or not able to provide for the setting forth his part, the Master of such Ship or Vessel may take up upon the Bottomme, for the setting forth of the said part, the which being defrayed, the remainder of the income of such part to be paid by the Master to the said Owner.

S E C T. II.

Owners refusing to sign Charter party to make publick protest &c

And in case of Freightment, where any Owner shall refuse to assent to the letting out of Ship or Vessel, where he is interested, such Dissenter shall manifest it by some publick act of Protest, before the signing of Charter Party, except the Master or the rest of the Owners, or both conceal from him or them their assents, then his or their Protest after Charter Party signed by themselves or Agents, shall be taken for legal Dissent, yet not to hinder the proceed of the Ship or Vessel, but that those so sending her forth shall be liable to respond his part

part upon enurance according to the custome of Merchants, which enurance is to be defauked out of that part of hire, due for such Owners which dissen-
ted.

SECT. III.

Whereas Masters of Ships or other Vessels, have their Owners live part in one Country and part in another, whereby they have in themselves, not only opportunity, and some have made use thereof in their own persons, to represent the major part of the Owners in the place where he comes;

It is therefore Ordered, That such Master shall not be taken to have Vote in the ordering of such Vessel further then his own Interest, except he make it appear to the rest of the Owners where he is, that he is Authoriz'd under the hands of such Owners absent, and then he is to have Votes according to the proportion of parts he so stands for, and the majority of parts are to carry it as before; nevertheless it is to be understood, that any Owner hath power to make sale of his part, either to the rest of the Owners, or others, as may be most to his own advantage; and if any Master shall presume to act contrary herunto, what damage shall be sustained by the rest of the Owners, the Master shall be liable to make good, it being duly proved against him.

SECT. IV.

All Masters taking charge, as Masters of Ships or other Vessels, and not being sufficient to discharge his place, or that through negligence, or otherwise, shall imbezle the Owners or Employers Stock, or Time, or that shall suffer his men to neglect their due attendance on board, both by day and night, especially when or whilst Merchants Goods are on board, and that Himself or Mine be not on board every night, to see good Orders kept, upon defect therein, such Master shall be liable to pay the damage that shall accrue by such neglect, it being duly proved against him.

SECT. V.

For the Masters better securing their men to them, and to prevent all Coven, they shall make clear agreements with their Marriners and Officers for their Wages, and those Agreements enter into a book, and take the several mens hands thereto, a Copy whereof, the Master as a Portlige Bill, shall leave with the Owners if required of them, before their setting saile upon the Voyage, and all such Agreements, the Master shall make good to the Sea men, and such Ship or Vessel as they saile in shall be liable for to make good the same.

SECT. VI.

All Masters of greater or lesser Vessels, shall make due and meet Provisions of Victuals and Drink for their Seamen, or Passengers, according to the laudable custome of our English Nation, as the Custome and capacity of the places they saile from will admit, upon penalty of paying Damages sustained for neglect thereof.

SECT. VII.

That no Master shall Ship any Sea man or Marriner that is Ship before by another Master or Employer upon a Voyage, nor shall any Seaman ship himself to any other man, until he be discharged from him if at Ship him first, upon penalty of him that entertains him, to pay one months pay that such Seaman agrees for, as also of such Seaman shipping himself, to pay one months pay that he agrees for: the half thereof to be paid to the use of the poor of the Town or place where the offence is committed, the other half to the Complain-
ter or Informer.

SECT. VIII.

No Master of Ship or Vessel shall saile into any Haven or Port, except necessitated therunto by Wind or Weather, or for want of Provision, or for Se-

Masters to keep
the single votes

Penalty of Mas-
ters and Marr-
iners non atten-
dance on board

Masters to make
p reicubragreen-
ment with Spu-
men

Masters to make
due provisions
&c.

No Masters to
entertain Sea-
men not dis-
charged
Nor Seamen to
enter their ser-
vice if dis-
charged

Masters prohibited from sailing into any Port but what bound to

curry from Pirates, but such Port as by Charter Party; or his Bill of Lading he is bound unto, until he hath delivered his Goods according to his engagement: and in case any Master shall take in Goods for more Ports and Places then one, he shall declare himself so to do to those that Freight upon him: and in case he shall voluntarily go to any other Port or Harbour then he is obliged to as above; if damage to the Merchants Goods happen thereby, such Master shall make good the same, it being duly proved against him.

SECT. IX.

Masters may alter their voyages in case

Seamen contract to stand good

Any Master hired out or employed by his Owners upon any Voyage, receiving Advice from his Employers, that the alteration of the Voyage when they are abroad, may be much for their security and advantage, by going to some other Port, the Master seeing meet to close with that advice, the Mariners shall not hinder his proceed, unless where any of the Seamen shall have made a particular contract with the Master to the contrary: Provided that they be not carried to stay out above one year, nor be carried to any place where they may be liable to be pressed into a service they are not willing unto.

SECT. X.

Masters to pay wages according to agreement

Masters shall see that their Officers and Mariners be duly paid their Wages according to agreement made with them, upon the finishing of their Voyage, without delay or trouble, upon penalty of paying damages for neglect, and all costs that the Seamen shall be at for recovering the same.

SECT. XI.

Masters, Ships & Seamen to bear loss of Goods damaged by their neglect or want of Ground tackle

Whereas many times Masters take in Merchant Goods on board their Ships or Vessels upon Freight; when, at they are not meetly fitted with suitable Tackling and Sea-men for the security of such Ships or Vessels, and Goods;

It is Ordered; That in case any Master of Ship or Vessel, after he hath Laden upon his Ship or Vessel any Merchants Goods to be transported, shall for want of sufficient Ground tackle (if to be had) or because of want of sufficient men being on board, come a shore to the damage of such Merchants or Freighters liable to make good in their Goods, the Ship shall be such damages; and in case the defect appear to be in the Master and Men both, or either, the Owners shall recover such damage from them.

SECT. XII.

Damage upon Goods, when Ships fall foul

Where any Ship Master hath Mored his Ship or Vessel, none other shall come so near to him first Mored as to do him damage, or receive damage by him, upon the penalty of him so coming, to make good all the damage, and to be farther punished if wilfulness or perverseness in the Action be proved against him.

SECT. XIII.

Masters running on board any Ship at Anchor, &c.

In case any Master of Ship or Vessel under sail, shall run on board any other Ship or Vessel at an Anchor, and damage him, the party offending shall pay the damage; and such Ship or Vessel as be sailes in shall be liable to Arrest for the making good the damage, the damage to be judged by indifferent men appointed by the Judges thereof, unless the parties agree among themselves.

SECT. XIV.

Goods thrown overboard by consent of Masters & Officers to be made good by an Average

In case of loss of Goods, by reason of throwing some over-board to ease the Vessel to save the rest, the Goods thrown over-board, shall not be done without the Master and major part of the Companies consent, or at least of the Officers with the Master; which Goods shall be brought into an Average, and the whole loss to be born by Ship, and Goods, and Wages in proportion that are saved: the like course shall be for cutting of Masts, and loss thereof, or Boats, Cables or Anchors, or also of Riggers and Sailors for the safety of the whole, the Merchants Goods shall bear a part of the loss.

SECT

SECT. XV.

In case a Ship or Vessel, at setting forth proves deficient, and gives over the Voyage, the Charges the Merchant hath sustained in Shipping and Lading his Goods, shall be born by the Master and Owners of such Vessel that pretumes to take Goods into an insufficient Bottom.

Damage by an insufficient Bottom

SECT. XVI.

Any Ship or Vessel at Sea, receiving damage by the Masters or Marriners negligence, yet bringeth the Merchants Goods home, and delivereth them according to Bills of Lading, he shall receive his Freight, but if the Goods be dammified, the Master or Marriners shall make good the damage.

Damage at Sea

SECT. XVII.

If any Ship or Vessel in Storm, shall break loose and fall upon another, and do her damage for want of Ground tackle, the Ship breaking loose shall make good the damage; but if it appear the Master, or Marriners, or both are negligent of freshing their Hoale, or clearing their Cable, they shall pay the damage for such neglect.

Damage by Ship breaking loose

SECT. XVIII.

All Marriners being shipt upon a Voyage, and in pay, they shall duly attend the service of the Masters Ship or Vessel for the Voyage, and not absent themselves day or night without leave from the Master, upon forfeit for every offence five shillings.

Marriners without leave

SECT. XIX.

No Officers or Marriners shall be disorderly or unruly, to occasion disturbance in the Ship or other Vessel he is shipped upon, to hinder or dammify the Voyage, to be proved by the Master or other Marriners, or both, upon penalty of paying the damage if able; and in case of inability to pay, to suffer Corporal Punishment, as the nature of the offence may appear to the Judges, and in case Master or Marriners shall conceal the offences of such, and refuse to give in evidences therein, they shall be amerced or imprisoned, as the Judges shall see meet.

Officers or Marriners unruly

SECT. XX.

If any shall undertake the charge of Pilot, Boat swain, Gunner, or any other Office, in Ship or other Vessel, and not be able to discharge the duty of the place, such shall lose their Wages in part or in whole, and be further punished for their presumption, as the Judges shall see meet.

Pilot or other Officer unable to discharge duty

SECT. XXI.

All Marriners shall keep true Watch at Sea or in Harbour, as the Master shall appoint, upon pain of forfeit of two pence for every default, to be deducted out of their Wages.

Watch

SECT. XXII.

Any Marriner that hath entred upon a Voyage, and shall depart and leave the Voyage, shall forfeit all his wages, one half to the poor, the other half to the Master and Owners, and be further punished by imprisonment or otherwise, if the case may be circumstanced, to be judged by the Magistrate or Mayor, if they are complained to, except such Seaman shall shew just cause for leaving the Voyage, and shall procure an order therefore from Authority.

SECT. XXIII.

If any Marriner shall have received any considerable part of his wages, and shall run away from the Ship or Vessel he belongs to, and decline the service of the Master in the prosecution of the Voyage, he shall be punished as a disobedient Run-away servant, and proceeded with as such a one.

SECT. XXIV.

Mariners entering
without
Masters leave.

If any Mariner shall entertain any Person or Persons on Board the Ship or Vessel he sails in, without the Masters leave, or Masters or Mariners, shall do it at unreasonable times, he or they shall forfeit *twenty shillings*; one half to the Poor, the other half to the Owners.

SECT. XXV.

Our rage upon
the Master.

No Seaman, or Seamen, or Officer shall commit any outrage upon the Master of any Ship or Vessel, but those so offending shall be severely punished, by fine or other Corporal punishment, as the fact shall appear to be circumstanced to the Judges that shall hear it, and as they shall judge meet; If any Officer or Mariners shall combine against the Master, whereby the Voyage shall be diverted or hindered, or that damage thereby shall accrue to the Ship and Goods, they shall be punished with loss of wages, or otherwise as Mutineers, as the case may require.

SECT. XXVI.

Ships to distress
seamen.

In case any Ship or Vessel be in distress at Sea, by Tempest or other accident, the Mariners shall do their utmost endeavour to assist the Master in saving Ship and Goods, and not desert him without apparent hazard appear, that by their staying they may lose their lives.

SECT. XXVII.

Mariners to do
their utmost in
saving the Goods.

And in case of suffering Shipwreck, the Mariners are without dispute upon their getting on Shoar, to do their utmost endeavour to save the Ship or Vessel, Tackle and Apparel, as also the Merchants Goods as much as may; out of which they shall have a meet compensation for their hazard and pains; and upon conviction of negligence herein shall be punished.

MARRIAGE.

Of the preventing all unlawful Marriages;

It is Ordered by the Authority of this Court; That after the publication hereof, no persons shall be joyned in Marriage before the intentions of the parties proceeding therein hath been published sufficiently at some publick Lecture or Town meeting in the Towns where the parties or either of them dwell, or shall yet be, or be set up in Writing fairly written upon some post of their Meeting House Door in publick view, there to stand so as it may be read eight dayes before such Marriage.

And whereas the power of disposal of Children in Marriage doth reside in the hands of Parents, and to prevent irregular proceeding herein;

It is Ordered by this Court; That whatsoever person from henceforth shall directly or indirectly endeavour to draw away the Affections of any Maid in this Colony, upon pretence of Marriage, before he hath obtained liberty of allowance from her Parents, Governours or Guardians, he shall forfeit for the first offence *five pounds*, for the second offence towards the same party ten pounds, and for the third offence, upon information or complaint by such Parents or Governours to any Magistrate, giving Bond to prosecute the party, he shall be committed to Prison, and upon hearing and conviction, by the next Court, he shall be adjudged to continue in Prison until the Court of Assizes shall see cause to release him.

And as the Ordinance of Marriage is honourable amongst all, so it is meet it should be accordingly solemnized;

It is therefore Ordered by the Authority of this Court; That no person whatsoever in this Jurisdiction, shall joyn any persons together in Marriage, without the Magistrates, or such other as the General Court or Court of Assistants shall Authorize in such places where no Magistrate dwell, nor shall any Magistrate or other person as aforesaid, joyn any persons together in Marriage before

fore the parties to be Married have been published according to Law.

MARSHAL.

IT is Ordered by the Authority of this Court; That the Marshals in the several Counties, as well as the Colony Marshal shall be allowed for every Execution he serves under the sum of five pounds, two shillings six pence, and four pence for every Mile he goeth to serve the said Execution out of the Town he liveth; and for every Execution he serves of or above the sum of five pound, and under the sum of ten pounds, he shall be allowed three shillings four pence, and four pence for every Mile he goeth as before; and for every Execution he serves of or above the sum of ten pounds, he shall be allowed five shillings, and four pence for every Mile he goeth as before: And it is also Ordered; That the Marshal shall be allowed for every Attachment he serves, half so much as is before allowed him for Executions, only he is to have for every Mile he goes to serve the Attachment as before.

It is further Ordered by this Court; That every person that shall at any time be fined for the breach of any penal Law, or other just cause, such person or persons so fined, shall forthwith pay his or their fine or penalty, or give in sufficient Security speedily to do it, or shall be imprisoned, or kept to work till it be paid, that so no loss may come to the Colony: And what other Debts or Fines shall be due either to the Colony or any County Treasury within this Colony, the Marshal for the Colony, or the respective County Marshals upon Warrant from the Colony or County Treasurer according to his Oath, shall be faithful in doing the duty of his place in levying and returning of the same, upon penalty of forfeiting two shillings of his own Estate for every Pound not returned, or else such fine as any Court of Assistants or County Court shall impose upon him for his neglect.

Master, Servants and Sojourners.

IT is Ordered by the Authority of this Court; That no Master of a Family shall give entertainment or habitation to any single person to sojourn in his Family, but by the allowance of the Select men of the Town where he dwells, under the penalty of twenty shillings per week for every weeks entertainment.

And it is also Ordered; That no man that is neither Married, nor hath any Servant, nor is a publick Officer shall keep house of himself without consent of the Town where he lives, under the penalty of twenty shillings per week.

It is also Ordered by this Court; That no person under the Government of Parents, Masters or Guardians, shall be capable to make any Contract or Bargain that in Law shall be accounted valid, unless the said person be authorized or allowed so to Contract or Bargain by his Parent, Master or Guardian.

It is also Ordered; That no Servant man or maid, shall either give, sell or change any Commodity whatsoever, without license from their Master, during the time of their service, under pain of fine or Corporal punishment, as the offence shall deserve by the judgement of the Court.

And whereas some stubborn, refractory and discontented Servants and Apprentices withdraw themselves from their Masters services:

It is Ordered by this Court; That whatsoever Servants or Apprentices of fifteen years of age or upwards, shall offend in that kinde, before their Covenants or Term of service are expired, they shall serve their Masters the treble term or threefold time of their absence in such kinde.

It is also Ordered; That when any Servants shall run from their Masters, or any other Inhabitants shall privately go away with suspicion of ill intentions, it shall be lawful for the next Assistant or Commissioner, or Constable and two of the chiefest Inhabitants where is no Assistant or Commissioner to pursue Men and Boats or Pinnaces (if occasion be) at the publick charge to pursue such

Marshals due

For serving Executions, and Attachments

Persons breaking any penal Law or being sued.

Marshals to levy Fines:

pen. for his neglect

Sojourners not to be entertained without consent of the Select men

p. 10 to a per week Unmarried persons not to keep house

Persons under Guardians unable to make Contracts without allowance

Servants not to trade without License. pen

Servants that offend shall serve their Masters

Servants run away shall be pursued

persons by Sea or Land, and bring them back by force.

Servants flying
Masters cruelty
to be relieved

It is also Ordered by this Court; That if any Servant shall flee from the Tyranny or Cruelty of his or her Master to the House of any Inhabitant of the same Town, they shall there be protected and sustained till due Order be taken for their relief; Provided due notice thereof be speedily given to their Master from whom they fled, and to the next Magistrate or Constable where the party so fled is harboured.

It is also Ordered: That no Apprentice Bound for the learning of a Trade, shall be put off for above a year to any other, neither in the life time of their Master, nor after their death by their Executors or Administrators, unless it be by consent of Authority assembled in some Court, or two Assistants, otherwise all and every such Assignment to be void in Law.

Measure and Weights.

TO the end Measures and weights may be the same throughout this Colony, and thereby Righteousness and Justice may be maintained in our Commerce and dealings each with other.

Every County to
provide County
standards for
weights & mea-
sures

Every Town to
provide Town
Standards for
weights & mea-
sures

No weights or
measures to be
improved by par-
ticular persons
but tryed once
per year

Every Town to
have a Sealer
who is to be
sworn his duty

Sealers once a
year to seal weights
and measures
his duty

Sealers to ap-
point the time
when they will
try the weights
and measures
bindeth to bring
measures penalty
\$ 1
Sealers neglect
& penalty

It is Ordered by this Court and the Authority thereof; That each County in this Colony shall at their own proper charge, within the space of six moneths next ensuing, procure sufficient Weights and Measures for their County; approved and tryed by the Colony Standards at Hartford, to be preserved and kept in the several and respective County Towns, as standards for the said Counties; and within nine months, each Town are to procure from the County Standards, Standards for themselves both of Weights and Measures. And all Weights and Measures that are improved by particular persons, shall be tryed by the Town Standards where they dwell, within ten Moneths; and whosoever shall after the first of September, 1671. make use of any Weights and Measures which are not proved and tryed by the Standards in their respective Towns, shall forfeit five shillings for every such default to the Treasury of the County wherein that offence is committed.

It is also Ordered; That each Town shall chuse one able and discreet Inhabitant to be a Sealer of Measures and Weights for their Town, who shall by the next Magistrate or Commissioner be sworn to a faithful attendance of the same; who is to have two pence for every Weight or Measure he Seales, and no Weight or Measure is to be accounted authentick that is not Sealed or Approved by the Clerk.

It is also Ordered; That the Sealers of Weights and Measures in the respective Towns, shall once a year Seal the several Weights and Measures that are used in their Town, for which service they shall have a penny for every Weight or Measure Sealed by them, to be paid by the Owners thereof after the first Sealing; and all such Weights and Measures as cannot be brought to the just Standard, they are to deface or destroy.

It is further Ordered; That it shall be in the power of the Sealer, sometime in April yearly, to appoint the time and place where he will try the Weights and Measures, and give publick notice thereof to the Inhabitants of their respective Towns to bring in their Measures and Weights to be tryed; and whatsoever person shall neglect to bring his Weights and Measures to be tryed the time prefixed by the Clerk, he shall forfeit to see shillings, the one half part whereof shall be to the Sealer, the other to the publick Treasury, which the Sealer shall have power to levy by Distress from time to time; and every Sealer that shall neglect his Duty required in this Order, he shall forfeit forty shillings for every such default to the County Treasury.

Military.

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Military Affairs.

That the Militia may be so managed as may best advantage the Publick Weal and Safety of this Colony;

It is Ordered by this Court and the Authority thereof; That all Male persons of the age from sixteen years of age, to the age of sixty (except Magistrates, Church officers, allowed Physicians and Chyrurgeons, School-masters, Millers, constant Herds-men, and Marriners, who make it their constant business to go to Sea) shall bear Arms, unless they upon just occasion have exemption granted them by the Court; and every Male person within this Jurisdiction above the age of sixteen years, shall have in continual readiness, a good Musquet, Carbine or other Gun (not less then Baltard Musquet or Coliver Boare) fit for service, allowed by the chief Military Officer, with six Flint to every Fire-lock, and three Fathome of Match to every Match-lock, with a Sword and Bandileers, or other serviceable Provision according to Law in the room thereof where such cannot be had; as also such other Ammunition as the Law requires, both of Powder and Bullets, upon penalty of five shillings for every defect.

And if any Person who is to provide Arms or Ammunition, cannot purchase them by such Means as he hath, he shall bring to the Clerk so much Corn or other Merchantable Goods, as by Apprizement of the Clerk, and two of the Company (whereof one to be chosen by the Clerk, and the other by the party) as shall be judged of a greater value by a fifth part then such Arms and Ammunition is of, he shall be excused for the penalty of want of Arms (but not for want of Appearance) until he be provided for: And the Clerk shall endeavour to furnish him with Arms and Ammunition as soon as may be, by sale of such Goods to deposited, rendering the over plus to the party. But if any person be not able to provide himself Arms or Ammunition, through his meet poverty, if he be single, he shall be put to Service by any one Assistant or Commissioner to procure him Estate to purchase Arms with, and his Master shall finde him Arms during his time of Service.

And it is also Ordered; That all the Souldiers within this Jurisdiction shall be Trained at least six times within the year, in the Moneths of *March, April, May, September, October, & November*, by, and according to the appointment of the Captain or other chief Officer of the several Train Bands in the respective Plantations: and the times of their Meetings together shall be at eight of the Clock in the morning.

It is also Ordered; That every Train Band shall choose some suitable person of their Company to be Clerk of the said Company, who shall be Sworn to a faithful discharge of his place and office; and whosoever being chosen as aforesaid, shall refuse to accept of the said Office of Clerk, and taking the said Clerks Oath, he shall pay as a fine for the same forty shillings to the use of the Company; and all that refuse the said Place or Oath as before, shall pay forty shillings a piece (as before) till one doth accept the place, and he that doth hold the place shall have a fourth part of all fines for his labour.

And it is also Ordered; That the chief Officer of every Train Band shall cause the Arms and Ammunition of all under his command, to be viewed at least once in every year, by appointing them to bring forth their Arms and Ammunition at some time and place as he shall appoint, or by sending the Clerk from house to house to view them: And the Clerk shall every Training day give his attendance in the Field (except he hath special leave from his Captain or other chief Officer) to call over the Rolls of the Souldiers, and to take notice of their defects by their absence or otherwise, and he shall present to the next Assistant or Commissioner all Defects in Arms or Ammunition, at least once in every year, and oftner if it be required, and the several Magistrates (and Commissioners in their respective Plantations) are hereby impowred to punish all Defects in that kind according to the nature of the offence, whereof due care is to be had; that wilful neglects in any do not pass without Sentence according to Law.

Who shall bear Arms.
who to provide Arms.

penalty 5. s. for every defect

Provision for those that want Arms

Six days Training in a year. A Chief Officer to appoint the days Company to meet by 8 Clock in the morning

Train Band to choose their Clerk
He that refuseth to accept and take Oath being chosen
Fined 40 s
The Clerk to have 10 s. part of all fines

Clerk to give notice of defects and to produce all defects once a year at least

Magistrates to punish defects

Fines for neglect
of training a 6 p
day to be paid
in corn or money
within 14 dayes
after the 6th. half
to the Company
and half to the
Clerk.

Clerks neglect;
penalty double:

Allowance of
powder to each
Souldier to im-
prove in firing
an dixer of exer-
cise

A publick Maga-
zine of powder
and shot to be
provided and
maintained.

every Souldier
possessed of a
stock of Ammunition
every Souldier
shall be provided
with a stock of
Ammunition

Every Souldier
shall be provided
with a stock of
Ammunition

The General
Court of the
County shall
confirm all
Commissioners

The County
Court shall
confirm all
Commissioners
of the Peace
and shall have
power to remove
any of them
who shall be
found guilty
of any crime
or misdemeanor

A General Court
shall be held
once in four
years

And whosoever shall be absent any of the dayes appointed for Training after the houer appointed, or shall not continue the whole time, shall forfeit *two shillings and sixpence* for every default in Corn or Money, except within *fourteen* dayes he bring a certificate to the Clerk, from two of the chief Officers of that Company to which he doth belong to free him; And if he neither bring a Certificate, nor his fine, being demanded, then the Clerk of the Band hath hereby power to distrain *five shillings* in Corn, or some Pay equivalent for every such default; *two shillings six pence* whereof shall be to himself, and *two shillings six pence* to the Company, for the maintenance of Drums and Colours, &c. And if the Clerk shall neglect his duty in gathering the fines, at least once a year, he shall forfeit to the use of the Company double the fines so neglected to be gathered by him.

And whereas it is convenient that the several Souldiers of the Trained Bands in the respective Towns within this Colony have some Powder allowed them to practise and exercise in their several firings upon their Training dayes;

It is therefore Ordered: That there shall be allowed to the several Souldiers of the Trained Bands in the respective Towns, a Pound of Powder a piece every year, to be provided by, and at the proper Costs and Charges of the Masters of each Family unto which the said Souldiers do belong, to be called forth, improved and disposed of, at the discretion of the Captain or other principal Leaders in each Trained Band.

This Court considering the state and condition of this Colony, by reason of In-
dians, and otherwise are desirous to use all due means for the preservation and safety of the same, and in order thereunto,

Do now Order: That the Treasurer for the time being, and at all times hereafter, shall at the publick charge of the Colony, procure, keep and maintain a Magazine of Powder and Shot, to be ready for the use of the Colony, at occasion may call for the same, and for the quantity thereof, he is to take his direction from time to time of the Governour and Council.

It is also Ordered: That every Souldier and Person required to provide Arms, shall alwayes have in readines by them *one pound* of Powder, and *four pounds* of Bullets, upon penalty of *five shillings* for every defect.

It is further Ordered: That every Town shall keep and maintain alwayes in readines, so much Powder and Bullets as may make with every particular mans proportion required by Law, so much Powder and Bullets as may make *three pounds* of Powder, and *twelve pounds* of Bullets or Lead for every person required to provide Arms within their limits, upon the penalty of *ten pounds* forfeiture, to be paid to the Publick Treasury, for every neglect and breach of this Order.

It is also Ordered: That the General Court only from time to time shall have power to establish or confirm all Commission Officers, both of the Horse and Foot, and none but such as the General Court doth confirm, shall be deemed Commission Officers. It is also left in the power of the County Courts from time to time, as need requires, to establish Sergeants for the Foot, and Corporals for the Horse for the respective Companies and Troops within their Counties, but the several Companies are to Nominate their Officers to the Court for their Approbation and Confirmation.

It is also Ordered: That there shall be appointed in each County in this Colony, a Regiment Major (by the General Court), who shall have the Command of all the Regiment of Souldiers within his County, and be Installed in his Office by one appointed by the General Court.

And when Major shall have served once in four years to draw forth his Regiment into one convenient place, and there to exercise every Captain and Officer of their Companies in their places, and to instruct them in their Duties, according to the Rules of Military Discipline, and to exercise his Regiment both at Horse and Foot, and shall, as he shall think fit, as if he were to lead them forth against the Indians.

And

And further, it shall be in the power of the Sergeant Major: and he is hereby Ordered once a year to call all the Commission Officers of his Regiment to meet at such a time and place as he shall appoint, there to consult and consider together of the best way of managing their Military Affairs for the publick Advantage, and the said Major is to requite an account of the several officers of his Regiment how their Companies are provided with Arms and Ammunition, and communicate to them such Orders and Instructions as he shall receive from the General Court from time to time.

Serg. Majors power to call all Commission Officers to meet him once a year &c

And it is by this Court Declared; That the Governour for the time being is the General of all the Military Forces within this Colony, but when we shall have occasion to send forth an Army against an Enemy: The General Court may appoint some Commander in chief for that service until the Forces raised shall be disbanded.

The Governour the General of all our Military Forces

Whereas it is left in the power of the chief Military Officers of the respective Companies within this Colony to appoint the dayes of Training: It is now Ordered, that they shall give three dayes warning at least for the same in some publick meeting, or by some other way agreed upon by the respective Companies.

three days warning for training

It is also Ordered; That the Captains, Lieutenants, Ensignes, Cornets and Quarter Masters, shall be freed from Watching and Warding, and the Sergeants on Foot, and Corporals of the Horse from Warding and half their Watch.

Military Officers freed

It is also Ordered; That any three chief Officers of each Company, shall have power to punish such Inferiour Officers or Souldiers as shall commit any Disorder or Contempt upon any day or time of Military Exercise, by any usual Military punishment, or by fine, not exceeding twenty shillings, except they enter an Appeal from such Sentence to the next County Court, which they have hereby liberty to do.

Officers power to punish offenders: Offenders liberty to appeal

It is also Ordered, That in case there fall out any suddain Exigence in any Plantation in this Colony, by Assault of Indians or any other Enemy, to the disturbance and hazard of the Publick peace; in every such Case, it shall be Lawfull and in the Power of the Military Officers of the place so disturbed, to Require and call forth all the Souldiers under their Command, and to Marshal, Order and dispose them as the present Occasion shall require, to Defend the place assaulted, and to quell the Enemy: And in case need so require, to Assist a Neighbour Plantation in any extremity as aforesaid; but in every such case (if it can with safety be obtained) they shall advise with the next Magistrate, what way to act for releif of their Neighbours; and this course to be taken upon all occasions from time to time, till the Court shall Order otherwise.

Officers power to summon and assist in the assistance of an Army

It is also Ordered, That in every Train Band, wherein is Sixty four Souldiers besides Officers, they shall have Liberty to have Captain, Lieutenant & Ensign and four Sergeants; and where there are Thirty two Souldiers, they shall have a Lieutenant and Ensign, and two Sergeants, and where there are but twenty four Souldiers, they shall have but two Sergeants.

What Officers every Company is to have

It is also Ordered, That every Commission Officer, shall take forth his Commission from the General Court, Signed by the Governour, with the Seal of the Colony affixed to it.

Officers power to take forth their Commissions

Mills and Mills.
It is Ordered by this Court, That each Miller in this Colony, or Town, of Mills, shall be allowed for the grinding of each bushell of Indian corn, a Twelfth part, and for other graines, a Sixteenth part, Provided that the Order shall no wayes prejudice or nullifie any former agreements made in any Town respecting grinding at their Mills.

Mills to be allowed a 12th part of Indian and 16th part of all other grain

It is also Ordered, That there shall be provided for every Mill within this Colony, Tolerances, one of a Pint, one of a Quart, and of two Quarts, all Sealed measures, with an instrument to strike the same when the Souldiers

Allowed to be provided with a sealed Toler. Measure

Ministers Maintenance.

This Court for the due encouragement and maintenance of the Ministry in all Societies and Congregations within this Colony;

The Inhabitants
so be called to-
gether once a
year, to consider
what to allow
their Minister.
what the Major
part determine,
that to stand.

Proviso.
If a suitable
maintenance be
not allowed, the
County Court
upon Complaint
made hereof are
to appoint the
same.

Alwayes provid-
ed inenourable
allowance be
made to the Mi-
nistry
If any Town be
grieved at the
County Courts
issue upon Com-
plaint to the
General Court it
will be consider-
ed.

Discoverers of
mines to be re-
warded

Monopolies to
be only of profit-
able inventions
and for such time
as the General
Court shall judge
meet

Unreasonable
night-walkers to
pay

Unreasonable
night-walkers to
pay

Constable to
search for
night-walkers

Constable to
search for
night-walkers

Do Order; That all those who are or ought to be taught in the Word in the several Plantations, shall be respectively called together once in each year, to consider what may be a meet maintenance for the Ministry of that Society to which they belong, and to conclude the same; and whatsoever Sum shall be agreed upon by the Major part of the Society, the particular Sums assessed upon each person by a just Rate, shall be Collected and Levied as other Town Rates; Provided, where there are more then one Assembly in a Town, they shall severally meet to Consider and Determine as aforesaid, and all persons shall Contribute to one or both of those Societies within their Township: And in case any Society shall faile of allowing a suitable maintenance to the Minister or Ministry of their Society, upon Information or Complaint made thereof to the next County Court in that County, they are hereby Ordered to appoint what maintenance shall be allowed to the Minister, and shall Order the Select men to Assess the Inhabitants, which Assessment shall be levied by some Officer appointed thereto, as other Rates, and in Wheat, Peas and Indian Corn a third of each; Alwayes Provided, that an Honourable allowance be made to every Minister, according to the ability of the place or people, and if any Town shall finde themselves burthened by the Assessment of the County Court, they shall have liberty to complain to the General Court, which will be ready to hear such Complaints.

Mines and Minerals.

For the encouragement of such as will lay out themselves upon the discovery of Mines or Minerals for the publick good:

It is Ordered by the Authority of this Court; That whosoever shall expend their Time or Estate upon such Discoveries, and purchase them for the Country, he shall be honourably rewarded (out of what he doth discover) for the same.

MONOPOLIES.

It is Ordered; That there shall be no Monopolies granted or allowed amongst us, but of such new Inventions as shall be judged profitable for the Country; and that for such time as the General Court shall judge meet.

Night-walkers.

For the preventing of unreasonable Night-walking;

It Ordered by this Court and the Authority thereof; That if any persons young or old within this Colony that are under Parents or Masters Government, shall convene or meet together, or be entertained in any House without the consent or approbation of their Parents or Governours, after the shutting in of the Evening, any longer then to discharge they are sent about; or if any persons shall be discovered to meet together, and to associate themselves with their Companions abroad in the Streets or Fields after the time aforesaid, unreasonably, the persons that are lawfully convicted to be guilty hereof, shall pay Ten Shillings a person, for every such transgression, and the head of that Family that entertains them, or tolerates them in their house, shall forfeit Ten Shillings. Whosoever Two Shillings and Six pence shall be to the Complainer out of each Fine, the rest to the publick Treasury. This Order extends to Sojourners and Boarders, or any that make their abode in this Colony above one Month, and in case any personable to pay their Fine, The Constable is hereby required to set such persons to work, there to continue one hour at least, and the Constable is also required to make search after such persons as shall offend against this Law.

OATHS.

OATHS.

I A. B. being by the Providence of God an Inhabitant within the Colony of Connecticut do freely and sincerely acknowledge myself to be subject to the Government thereof, and do Swear by the great and Dreadful Name of the Ever-living God, that I will be true and faithful unto the same, and will accordingly as in duty I am bound, yield Assistance therunto with my person and estate and also will truly endeavour to maintain and preserve all the liberties and Priviledges thereof, submitting my self to the wholesome Orders and Laws made and established by lawful Authority, and further, that I will not plot or practice any evil against it, or consent to any that shall so do but will timely discover the same to lawful Authority here established, for the speedy preventing hereof: So help me God in our Lord Jesus Christ.

The Oath of Fidelity

You A. B. being by the Providence of God an Inhabitant within the Jurisdiction of Connecticut being now to be made free, do acknowledge your self to be subject to the Government thereof, and do Swear by the great and fearful Name of the Ever-living God, to be true and faithful unto the same, and do submit both your person and estate therunto, according to all the wholesome Laws and Orders that there are or hereafter shall be there made and established by lawful Authority, according to the tenor of the Charter granted to this Colony; and that you will neither Plot nor Practice any Evil against the same, nor consent to any that shall so do, but will timely discover the same to lawful Authority here established; and that you will as in duty you are bound maintain the honour of the same, and of the lawful Magistrates thereof, promoting the publick good of it whilst you shall so continue an Inhabitant there, and whensoever you shall give your Vote or Suffrage touching any matter which concerns this Colony being called therunto, you will give it as in your Conscience you shall judge may conduce to the best good of the same, without respect of persons or favour of any man; So help you God in our Lord Jesus Christ.

The Freeman's Oath

I J. W. now chosen to be Governour over this Colony of Connecticut for this year ensuing, and until a new be Chosen and Sworn; Do Swear by the Great and Dreadful Name of the Everlasting God to promote the publick Good and Peace of the same, according to the best of my skill; as also I will maintain the lawful Priviledges of this Colony, as also that all wholesome Laws and Orders that are or shall be made by lawful Authority here established consonant to our Charter be duly executed, and will further the Execution of Justice for the time aforesaid, according to the Rules of Gods Word, and the Laws of this Colony; So help me God in our Lord Jesus Christ.

The Governours Oath

I W. L. now chosen to be Deputy Governour over this Colony of Connecticut for this year ensuing, and until a new be Chosen and Sworn; Do Swear as in the Governours Oath *Mutatis Mutandis*.

The Deputy Governours Oath

You S. W. being chosen an Assistant over this Jurisdiction for the year ensuing; Do Swear by the Great and Dreadful Name of the Ever-living God, to promote the publick Good and Peace of the same, according to the best of my skill, and that I will maintain all the lawful Priviledges thereof according to my understanding; as also Assist in the Execution of all such wholesome Laws and Orders as are or shall be made by lawful Authority here established Consonant to our Charter; and will further the Execution of Justice for the time aforesaid, according to the Righteous Rules of Gods Word, and the Laws of this Colony; So help me God in our Lord Jesus Christ.

The Assistants Oath

You J. T. being Chosen Treasurer for the Colony of Connecticut, for the year ensuing, and until a new be Chosen, Do Swear by the Great Name of God, that you will according to the best of your skill attend the place & Office of a Treasurer for this Colony, in sending out your Warrants for Collecting all such Sums of Money as are due to the Colony by Fines, Rates or otherwise, and that you will pay out the same in such Sums, and in such manner as you shall

The Treasurers Oath

shall be appointed to by the Court, as you shall have it in the Common Treasury, and that you will according to Law see the Constables make up their Accompts with you, or Fine them according to Law for their neglect, and that you will render a true Account of all things concerning your Office, when you are called thereunto by the General Court; So help you God, &c.

The Secretaries
Oath.

You *L. A.* Being chosen Secretary for the Colony of Connecticut for the year ensuing, and until a new be chosen. Do Swear by the Great Name of God, that you shall keep the Secrets of the Court, and carefully execute the place and Office of a Secretary according to the best of your skill, and shall truly and Faithfully record all Acts and Orders of the Court, and shall deliver true Copies and Certificates, when they shall be necessarily required of you; So help you God, &c.

The Commissioners
new Oath.

You *B. N.* Being chosen a Commissioner by the plantation of *W.* For the year ensuing, do Swear, that you will do equal right and Justice in all cases that shall come before you, after your best skill according to the extent of your Commission; So help you God, &c.

The Marshals
Oath.

You *L. G.* Being appointed Marshal for the Colony of Connecticut; Do Swear by the Great and Living God, that you will with all Faithfulness and Diligence serve all such Attachments as shall be directed unto you, (and come into your hand,) by lawful Authority, and return them to the Court where they are returnable, as also that you will serve all such Executions granted by the Secretary, Treasurer, or other Clerke Authorized thereunto, delivered into your hands, and Collect or Levy the Goods you are directed to according to the said Execution, whether it be for the publick Treasury, or particular persons; And that you will with convenient speed deliver such Goods as you shall Levy as aforesaid, into the hands of the Treasurer or other particular person or persons to whom they do belong; And that you will do and Execute all such lawful Commands, Directions and Warrants as you shall receive from the Governour, or any Magistrate or Magistrates, Court or Courts according to your Office, and thus during the whole time you shall continue in your Office you will demean your self without respect of persons, or favour of any man; But in case you meet with any difficulty which you cannot resolve, in such case you may suspend till you may have Advice therein from the Authority; So help you in our Lord Jesus Christ.

The Grand-Ju-
ries Oath.

You do Swear by the Great Name of the Ever Living God, that you will with all due Care and Faithfulness make presentment according to Order at the next County Court in this County, such misdemeanours and Transgressions of the Laws and Orders of this Colony as shall come to your Cognizance and Knowledge (unless some necessary and religious use of Conscience surely bottomed upon the Word of God bind you to Secrecy) as also all such things as you shall find out which are contrary to Religion and peace; And whatsoever shall be legally committed to your judgement by the Court, you shall return a True and just Verdict thereof according to the evidences given you, and the Laws here established; So help you God &c.

The Jury of Life
and Death their
Oath.

You do Swear by the Great Name of Almighty God, that you without respect of person or favour of any man well and truly Try, and true deliverance make of such Prisoners at the Barr, as you shall have in Charge according to the evidence given you in Court, and the Laws of this Colony; So help you God in our Lord Jesus Christ.

The Petty Juries
Oath.

You do Swear by the Living God, that you will duly try the Causes now to be given you in charge between the Plaintiff and Defendant, or Plaintiffs and Defendants, according to the Evidence given you in Court and the Laws of this Colony, and accordingly a true Verdict give, your own counsels and your Fellows you shall duly observe and keep, you shall speak nothing to any one of the Business and Matters you have in hand, but among your selves, nor shall you suffer any to speak unto you about the same but in Court, and when you

Be it your duty to be better and

you are agreed of any Verdict you shall keep it secret till you deliver it up in Court; So help you God in our Lord Jesus Christ.

You Swear by the Living God, that the Evidence you shall give to this Court concerning the case now in question shall be the Truth, the whole Truth and nothing but the Truth; So help you God in our Lord Jesus Christ.

Witness Oath

You **C. D.** Do Swear by the Great and Dreadful Name of God, that for the year ensuing, and until new be Chosen and Sworn, you will faithfully execute the Place and Office of a Constable for, and within the Plantation of **H.** and the limits thereof, and that you will endeavour to preserve the publick peace of the said Place and Colony, and will do your best endeavour to see all Watches and Wards executed and duly attended, and to obey and execute all lawful Commands or Warrants that come from any Magistrate or Magistrates or Court, and execute all such Orders of Court as are committed to your care, according to your best skill; So help you God in our Lord Jesus Christ.

Constable's Oath

You **N. W.** Being appointed to be Clerk of the Train Band of **H.** Do Swear truly to perform the Office of a Clerk of Train Band to the utmost of your ability or endeavours, according to the particulars specified (and peculiar to your Office) in the Military Laws; So help you God, &c.

Clerk of Train Band his Oath

Whereas you **H. R.** are Chosen a Searcher and Sealer of Leather for the Town of Hartford for this Year ensuing, and until a new be Chosen and Sworn, You do Swear by the Living God, you will faithfully and carefully attend the execution of your Office for the publick good according to the true intent of the Laws and Orders in such case provided; So help you God, &c.

Leather Sealer his Oath

You **R. S.** being Chosen a Fence viewer for the Town of **H.** for the year ensuing, and until a new be Chosen and Sworn; Do Swear by the living God, that you will duly and faithfully attend the Office of a Fence Viewer according to the best of your skill, not only in viewing the Fences, but also in moderately fining all defects in Fences, and gathering the same according to Law, or returning the Names of those you fine for Defects in their Fences with their fines to the next Magistrate, that so Execution may be granted and levied; So help you God, &c.

Fence viewer's Oath

Whereas you **J. G.** and **D. P.** are appointed to Apprize such Lands or Goods as are now to be presented to you; You do Swear by the Great and Dreadful Name of the Ever living God, that all Partiality, Prejudice, and other sinister respects laid aside, you will Apprize the same, and every part thereof according to the true and just value thereof at this present by common account, by your best Judgement and Conscience; So help you God, &c.

Appraisers Oath

It is Ordered by this Court; That no Man shall be urged to take any Oath but such as the General Court hath considered, allowed and required: And that no Oath of any Magistrate, Councillor or any other Officer shall bind him any farther or longer then he is resident or reputed an Inhabitant in this Jurisdiction.

No Oath to be urged but such as the General Court shall have thought fit

OPPRESSION.

VV Hereas Oppression is a mischievous Evil the Nature of man is prone unto, and that men may not Oppress and Wrong their Neighbours by taking excessive Wages for Work, or unreasonable Prices for such necessary Merchandises or Commodities as shall pass from Man to Man;

It is Ordered by the Authority of this Court; That if any person or persons shall offend in any of the said Cases, he shall be punished by Fine or Imprisonment according to the quality of the Offence, as the Court to which he is presented upon lawful Tryal and Conviction shall determine.

Oppression to be punished

Peace breakers to be punished.

It is Ordered by this Court; That whosoever shall disturb the Peace by Tumultuous and Offensive Carriages, Truducing, Quarrelling, Challenging, Assaulting, Beating, Striking any other person, he shall be liable to pay to the party hurt or stricken, just damages, together with such fine to the Publick Treasury, as on consideration of the party smiting or being smit, & with what Instrument, danger more or less, time, place, provocation, &c. shall be judged just and reasonable to the merit of the offence, according to the judgment of the Judges.

PETITION.

It is Ordered by the Authority of this Court; That for each Petition that is presented to the General Court in any Session thereof, there shall be paid the sum of ten shillings by the Petitioner or he that presents it before it be read, and the Secretary is to take care to see it paid as aforesaid; and for his pains therein he is allowed the one half of the ten shillings.

PIPE STAVES.

For the Regulating of Pipe staves that are to be transported into any parts of Spain, Portugal, or either of their Dominions, or elsewhere to be used for the making of tight Cask:

It is Ordered by the Authority of this Court; That all Pipe staves that are to be transported as aforesaid, shall be four foot and six inches in length, and three inches and a half in breadth, without Sap, and in thickness at least half an inch, and not above five worm holes in one Stave, well and even hewed sufficient for stur use.

And it is Ordered; That the Townsmen in each Plantation where such Goods or Staves are, used to be shipped, shall from time to time appoint two men, Inhabitants of their Town, skilful in that Commodity to be Viewers of Pipe staves, who shall by the next assistant or Commissioner be Sworn to a faithful discharge of this trust, as also to cast by all such Staves as they shall judge not Merchantable according to this Order, and they shall keep by them a Record of the number of all such Staves as they judge Merchantable, and whole they were when viewed.

And if any Man shall Ship or Deliver on Board any Vessel any Pipe staves to be transported into Spain or Portugal, except such as are Searched and Approved by the Searcher as aforesaid, or such as are shipped for Dry Cask, they shall forfeit the said parcel of the value thereof; and the said Searcher shall be allowed two shillings for every Thousand of Pipe staves which they shall search, as well the Refuse as the Merchantable, to be paid by him that sets him a work.

And if any Master or other Officer of any Ship or other Vessel shall receive into such Ship or other Vessels any parcel of Pipe staves to be transported unto any of the said Dominions, which shall not be Searched and allowed as Merchantable, and so certified by a Note under the hands of the said Viewers, or one of them, every such Master shall forfeit for every Thousand of such Pipe staves so unduly received five Pounds, to the Publick Treasury two thirds, and one third part of such fine shall be to him that discovers and prosecutes the same: Provided, Cask staves, or other Red Oak Staves may be transported into those parts which are good to make Dry Cask for that end.

POSSESSION.

This Court being sensible of the great Trouble and Contention that doth and may arise in this Colony, by reason of the great Defects that are found in

Records

as to be paid
for every Petiti-
on

size of Pipe
staves

Searchers to be
appointed and
Sworn

To keep a Re-
cord of what
staves they ap-
prove

Staves not appro-
ved if shipped to
be forfeit

Searchers dest
2s. a 1000

Officers of ships
receiving unlaw-
ful staves to be
fined 5l.

Staves for dry
Cask may be
transported

Records, and Alienaings of Houses and Lands, that due form of Law not being lawfully attended which is requisite in such Affairs; For the prevention whereof, and that future trouble may be avoided, and that Righteousness and Justice may be maintained;

It is Ordered by this Court and the Authority thereof; That what person or persons soever, that hath either Himself, his Grantees or Assignes, stood possessed in his or their own proper right in Fee simple of any Houses or Lands within this Colony, without being interrupted by any person or persons laying claim thereunto, and prosecuting their claim in due form of Law, sometime betwixt the Publication hereof and the last of November, One Thousand six Hundred and sixty eight, such Person or persons so possessed of any Houses, parcel or parcels of Land as aforesaid, have power to Enter and Record the same to him or themselves, and his or their Heirs and Assignes for ever, in the Book of Records of that Town where the said Houses and Lands lieth, paying a meet recompence to the Recorder for his pains; and a Record under the Recorders hand, and one of the Select men of that Town, and a Commissioner or Assistant, shall be a sufficient and legal evidence to all and every person or persons that shall have the same to all intents, ends and purposes for the holding of the same firm to him or them, his or their Heirs and Assignes for ever; Provided this Law includes not Orphans under age, and Proprietors in foreign parts, who possibly may be incapacitated to make good their claims within the forementioned limited time.

POOR.

It is Ordered by the Authority of this Court; That every Town within this Colony, shall maintaine their own poor: and if any that have Reliefe from any Town, do not imploy their children as they ought, towards the getting of a lively hold, or if there be any Family that cannot or do not provide Competently for their Children, whereby they are exposed to want and extreamity, it shall be in the power of the Select men of each Town with advice of the next Magistrate, to place out such Children, into good Families where they may be better brought up and Provided for.

It is also Ordered; That if any person come to live in any Town in this Government, and be there received and entertained three months, if by sickness, lameness or the like, he comes to want reliefe; he shall be provided for by that Town wherein he was so long entertained, and shall be reputed their proper charge, unless such person have within the said three months been warned by the Constable, or some one or more of the Select men of that Town, not there to abide without leave first obtained of the Town, and certifie the same to the next Court of Assistants, who shall otherwise Order the charge arising about him according to Justice.

Pound; and Pound break.

For prevention and due Recompence of Damage in Corn fields, and other Inclosures done by Swine and Cattle;

It is Ordered by this Court, and the Authority thereof, That there shall be one sufficient Pound, or more made and maintained in every Town and village within this Jurisdiction, for the Impounding of all such Swine and Cattle as shall be found in any corn-field or other inclosure: And whosoever pounds any Swine or Cattle, shall give present notice to the Owners if they be known, or otherwise they shall be cryed at the two next Publick Meetings; and if Swine or Cattle escape out of the Pound, the Owner if known shall pay all damages according to Law.

It is also Ordered; That all Cattle and Swine that are taken Damage Feizant, and Impounded, shall pay eightpence a head, six pence to him or them that have

Every Town to provide for their own poor.

Select men put to death if they do not provide for their children.

He that abides 3 months in a town without being warned out shall be their proper charge.

Every Town and Village to provide a Pound.

Owners of Cattle & Swine impounded to have notice.

If no owners appear the rate shall be cryed for them. Each head impounded to pay 8

except Sheep who
shall pay 1 penny
p. head

drive them to Pound, and two pence a head to him that keeps the Key, except Sheep, for which there shall be paid one penny a head, a fourth part of which shall be to him that keeps the Key, the other part to him that drives them.

And whereas Impounding of Cattle in case of Trespass hath been always found needful, and all the breaches about the same very offensive and injurious:

weftner pen 40.3
pound breach 51

It is therefore Ordered; That if any person shall resist or rescue any Cattle or Swine going to the Pound, or shall by any way or means convey them out of Pound or Custody of the Law, whereby the party wronged may lose his Damage, and the Law be deluded in case of meer Rescues, the party offending shall forfeit to the Publick Treasury forty shillings, and in case of Pound-breach five pounds, and shall also pay all damages to the party wronged; And if in the Rescue any bodily harms be done to person or otherwise, they shall have remedy against the Rescuers: And if either be done of any not of ability to answer the Damage and forfeit aforesaid, they shall be whipt by Warrant from any Assistant before whom the Offender is convicted, in the Town where the Offence is committed, not exceeding fifteen stripes for the meer Rescue or Pound-breach, and for all damages to the parties, they shall be satisfied by the Offender in Service; and if it appear there were any procurement of the Owners of the Cattle, or that they were abettors, they shall all pay forfeitures and damages, as if themselves had done it, one fourth part of all fines for the breach of this Order shall be to him that prosecutes the same to effect; Provided that the Complaint be Prosecuted within nine moneths, otherwise it shall not be heard.

3c damages to be
paid, if not able
then by service
3c.

one fourth part
of these fines to
go to the com-
plainer

complaints to be
made within 9
months

Prophane Swearing.

Prophane Swear-
ing or Cursing
penalty 10.3

It is Ordered by this Court; That if any person within this Colony shall Swear rashly and vainly, either by the Holy Name of God, or any other Oath; or shall sinfully and wickedly Curse any, he shall forfeit to the Treasury for every such several Offence ten shillings, and it shall be in the power of any Assistant or Commissioner by Warrant to the Constable, to call such person or persons before him, and upon just proof, to pass Sentence according to Law, and Levy the said penalty according to the usual order of justice; and if such persons be not able or shall utterly refuse to pay the aforesaid fine, he shall be committed to the Stocks, there to continue, not exceeding three hours, and not less than one hour.

or sit in the
Stocks not less
than one hour

3c while 3c
at one 3c
shall 3c
shall 3c
shall 3c

Prophanation of the Sabbath.

Whereas the Sanctification of the Sabbath is a matter of great concernment to the Weal of a People, and the Prophanation thereof is that as brings down the judgements of God upon that Place or People that suffer the same;

It is therefore Ordered by this Court; That if any person shall Prophane the Sabbath, by unnecessary Travail, or Playing thereon in the time of publick Worship, or before or after, or shall keep out of the Meeting house during the time of publick Worship unnecessarily, there being convenient room in the House, he shall pay five shillings for every such offence, or sit in the Stocks one hour, any one Assistant or Commissioner to hear and determine any such case; And the Constables in the several Plantations are hereby required to make search after all Offenders against this Law, and to make return of those they shall finde transgressing to the next Assistant or Commissioner.

Prophanation of
the Sabbath by
labour or play
penalty 5.3

Prophanation of
the Sabbath by
labour or play
penalty 5.3

Prophanation of
the Sabbath by
labour or play
penalty 5.3

No person to be
twice sentenced
for one and the
same offence

PUNISHMENT.

It is Ordered by the Authority of this Court, that no Person shall be twice sentenced by Civil Justice for one and the same Crime, Trespas or Offence, for bodily punishment, none shall be indicted that are Inhumane, Barbarous or Cruel.

Rates.

R A T E S.

It is Ordered by the Authority of this Court; That every Inhabitant shall henceforth contribute to all Charges both in Church and Colony whereof he doth or may receive benefit, and every such Inhabitant, who shall not voluntarily contribute proportionably to his ability, with the rest of the same Town to all Charges both Civil and Ecclesiastical, shall be compelled thereunto by assessment and distress, to be levied by the Constable or other Officer of the Town, as in other cases, and that the Lands and Estates of all men wherever they dwell shall be Rated for all Town-charges, both Civil and Ecclesiastical as aforesaid, the Lands and Estates where they shall lye, and their Persons where they dwell.

All persons shall pay to common Charges.

Lands to be levied where they lye and persons where they dwell

For a more equal and ready way of raising means for defraying of Publick Charges in time to come;

It is Ordered by this Court; That the Treasurer for the time being, shall from year to year, in the first Month, without expecting any other Order, send forth his Warrant to the Constables of every Town within this Jurisdiction, requiring the Constable to call the Inhabitants of the Town together (who bring so assembled) shall chuse three or four of their able Inhabitants, who shall some time or times in the sixth Month then next, make a List of all the Male persons in the same Town, from sixteen years old and upwards, (except Assistants, Commissioners, Ministers of the Gospel, Physicians and Schoole Masters,) And a true estimation of all personal and real estate, being (or reputed to be) the estate of all and every the persons in the same Town, or otherwise under their Custody or managing, according to the just valuation; and to what persons the same belong, whether in their own Town or other where, so near as they can by all Lawfull wayes and means which they may use. viz. of Ware-houses, Shops, Work-houses, Lands of all sorts as well unbroken as other (except such as doth or shall ly common for free feed of Cattle, to the use of the Inhabitants in general) whether belonging to Towns or particular persons, but not to be kept or hearded upon to the damage of the Proprietars, Mills, Ships, and all Vessels off the stocks, Merchantable goods, Cranes, Wharves, and all sorts of Cattle (except Sheep, Bulls and Boars) and all other known Estate whatsoever, either at Sea or on Shore, all which Persons and Estates are by the said three or four men to be Assessed and valued as hereafter followeth, every person aforesaid at eighteen pound a head, and for a more certain Rule of rating of Cattle, every Cow of four years old and upward shall be valued at four pounds, every Oxe of five years old and upward five pounds, every Steer of four year old four pounds, every Steer or Heifer of three year old three pounds, every Steer or Heifer of two year old two pounds, every Steer or Heifer of one year old one pound; all Horses and Mares of four years old and upwards four pounds; all Horse kinde of three years old three pounds, all Horse kinde of two years old two pounds, and all Horse kinde of one year old one pound; every Goat above one year old eight shillings, every Swine above one year old twenty shillings; and all Cattle of all sorts under a year old are hereby exempted, as also all Hay and Corn in the Husband-mans hand. Because all Meadows Earable Ground and Cartel are rateable as aforesaid, and for all such persons as by the advantage of their Arts and Trades are more able to help bear the publick Charge then common Labourers and Workmen, as Butchers, Bakers, Brewers, Victuallers, Smiths, Carpenters, Taylors, Shoemakers, Joycers, Barbers, Millers, Masons, with all other material persons and Artists. Such shall be Rated for their Returns and gains proportionable to other men, for the produce of their Estates. Provided that in the Rate by the Pole, such persons as are disabled by sickness, lameness, or other infirmities shall be exempted, and for such Servants and Children as take not wages their Parents and Masters shall pay for them, but such as take wages shall pay for themselves.

Treasurer once a year to send forth his warrants, each Town to chuse 3 or 4 Listers.

What persons exempted the List.

What Cattle exempted the List.

What Estate to be Rated.

persons valued at 18 pound

Prices of Cattle in the List.

Young Cattle not a year old And Corn and Hay exempted the List.

Artificers and Handicrafts men to be Rated according to their returns. Provided.

Dep. to meet annually in Hartford on the 2d Thursday in October

To examine and transmit the Lists to the Genl. Co

and the Genl. Co to grant necessary Rates

Lands & Estates to be rated where they lye

peculiarities to be rated with the next Town

Officers & Deput. neglect pen 40 s

provided they be prosecuted within 6 months &c

What the Officer is to distrain

Rates in what to be paid, and the price, how to be appoynted

Rates to be made by one rule

Const neglecting Treas. to distrain the Constable

Treas neglecting to be answerable to the Country

Treas neglecting to be answerable to the Country

He that is to be relieved

And it is further Ordered; That one of the Deputies in each Plantation throughout this Jurisdiction, shall yearly meet at Hartford, upon the first day of the sitting of the General Court the second Thursday in October, and bring with them fairly written the just number of Males listed as aforesaid, and the Assessments of Estates made in their several Towns according to the Rules and directions in this present Order expressed. And the said Deputies being so assembled, shall duly and carefully Examine all the said Lists and assessments of the severall Towns, and shall Correct and perfect the same according to the true intent of this Order; and the same so perfected, they shall Transmit under their hands to the General Court then in being, who shall Grant from time to time such Rates as shall be necessary, and give directions to the Treasurer for the gathering of the same, and every one shall pay his Rates to the Constable of the Town where it is assessed; Nor shall any Land or Estate be Rated in any Town but where the same shall lye, is or was improved to the owners, reputed owners, or other proprietors use or behoof, if it be within this Jurisdiction; and for all peculiarities, viz. Such places as are not yet laid within the bounds of any Town, the same lands with the persons and estates thereupon, shall be assessed by the Rates of the Town next unto it, the measure or estimation shall be by the distances of the meeting houses.

And if any of the said Listers, or of the said Deputies shall fail or neglect to perform the trust committed to them by this Order, in not making, correcting, perfecting or transmitting any of the said Lists or Assessments, according to the intent of this Order, every such Offender shall be fined forty shillings for every such Offence, or so much as the Country shall be damaged thereby, so it exceeds not forty shillings for one offence; Provided that such Offence or Offences be complained of and prosecuted in due course of Law within six months after the same is committed.

And is also Ordered; upon all Distresses to be taken for any of the Rates and Assessments aforesaid, the Officer shall Distrain Goods and Cattle if they may be had, and if no Goods or Cattle, then Lands or Houses, and if no Goods, Cattle or Lands can be had within the Town where such Distresses are to be taken, then upon such returns to the Treasurer, he shall give Warrant to Attach the body of such persons to be carried to Prison, there to be kept till the Court, except they put in Security for their appearance there, or that payment be made in the mean time.

It is also Ordered; That all Rates shall be paid in Wheat, Peas and Indian Corn, by an equal proportion of each, or Pork; the prizes of each shall be appointed by the General Court from time to time; And in default thereof, they shall be paid at the common price with the Merchant.

It is further Ordered; That all Town and Ministers Rates shall be made after the same manner, and by the same rule the Country Rate is made.

Whereas wrong hath been done to the Colony by the Constables neglect in gathering such Levies as they have received Warrants from the Treasurer for, during their Office;

It is therefore Ordered by the Authority of this Court; That if any Constable shall not have gathered the Levy committed to his charge by the Treasurer then being, during the time of his Office, that he shall notwithstanding the expiration of his Office, have power to Levy by Distress all such Rates and Levies; and if he bring them not in to the old Treasurer according to his Warrants, the Treasurer shall Distrain such Constables Goods for the same; and if the Treasurer shall not so Distrain the Constable, he shall be answerable to the Country for the same; And if the Constable be not able to make payment, he shall be lawful for the Treasurer, old or new respectively, to Distrain any man or men of that Town where the Constables are unable for all Arrearages of Levies, and that man or men upon Petition to the General Court, shall have Order to collect the same again equally of the Town, with his just Damages for the same.

And



And it is further Ordered by this Court; That if any person in this Colony shall refuse or neglect to give in a true account under his hand of his Cattle to the List makers or their Agents, within six dayes after demanded in their respective Towns, or shall leave out any of them; he shall forfeit for every such default the estate left out, the one half to the Publick Treasury, and the other half to the persons discovering the same and prosecuting it to effect.

Cattle left out of the list to be forfeited

It is further Ordered by this Court; That all Collectors and gatherers of Rates, shall appoint a day and place, and give reasonable warning to the Inhabitants to bring in their proportions, upon which every man so warned, shall duely attend to bring in his Rate, or upon neglect thereof, shall forfeit two pence in the shilling for what he falls short, and the said Collectors shall have Authority hereby to distreine the delinquents, or be accountable themselves for the Rates and penalties so neglected by them.

Collectors of rates their duty Rates not paid pence 4 upon a shilling, forfeits

It is also Ordered; That no Attachment or Replevin shall be Granted upon any Estate that shall have been taken by distress for Town or Country Levies for Civil or Ecclesiastical respects; Provided if any person account himself wronged by such distress, he shall have liberty of the Civil Law, thereby to procure his right by ordinary Process or complaint.

Rate levied for rates not to be attached or replevied

It is further Ordered; That what shall be justly due for the hire of a Chamber for the keeping of the Country Rate in the several Plantations, from the gathering of it till it be paid out, it shall be allowed and paid by the Country.

The County to pay for chamber hire for their rates

It is also Ordered; That what Corn for the Country Rate is transported out of the Town where it is gathered by the Treasurers Order, there shall be allowed reasonable satisfaction for the same, viz. from Windsor to Hartford two pence per bushel, from Farmington to Hartford three pence per bushel, from Stonington to Newlondon two shillings in the Pound.

what allowance for transportation of Country Rates

RECORDS.

IT is Ordered by the Authority of this Court; That the Town Clerk, or Register in the several Towns of this Jurisdiction shall record all births and deaths of persons in their Towns; And that all Parents, Masters, of Servants, Executors and Administrators respectively, shall bring into the Register of their several Towns, the names of such Persons belonging to them, or any of them, as either shall be born or dye, as also that every new married man shall likewise bring a Certificate of his Marriage under the hand of the Magistrate or Commissioner that married them, to the said Register, and for each neglect, the Person neglecting shall forfeit as followeth, viz. If any person shall neglect to bring in a note or Certificate as aforesaid, together with Three pence a name to the said Register for all births and deaths, and Six pence for each Marriage, to be recorded more than one Month after such birth, death, or Marriage, shall forfeit for every default five shillings, and the penalty to be further increased upon longer neglect according to the judgement of the Court. And the Register of each Town shall yearly convey to the Clerk of the County Court of their County, a true transcrip of the births, deaths, and Marriages given under the hands with a third part of the afore mentioned dues under the penalty of Forty Shillings for every such neglect, all which forfeitures shall be returned into the Treasury, also the Grand Jurors may present the breaches of this Order.

Town clerks to record births Deaths & Marriages Persons concerned to bring a note to the Clerk

Clerks dues penalty 5.

penalty to be increased

Clerks duty in returning a transcrip with a 3d of every 100

Every Town to provide a Ledger Book

It is also Ordered; That the several Towns in this Jurisdiction shall provide a Ledger Book, with an Index, or Alphabet, unto the same, also shall choose one who shall be a Town Clerk, or Register, who shall record every mans house and Lands granted and measured out to him, with the Bounds and Quantities of the same, & whosoever shall neglect three months to bring into the said Town Clerk a Note of his House and Lands, with the houses and quantity of the same by the nearest estimation, shall forfeit ten shillings, and so ten shillings a month for every month he shall so neglect; the like to be done for all Lands hereafter granted and measured.

Recorder to record houses and lands Each persons to bring a note pence 10 3d and 10 3d per month

If Granters will
not acknowledge
Grants caution
may be entered

A Court Judge-
ment, the Re-
corders warrant
to record a
Grant

Recorders dues

For every Search
1 d, every copy
2 d

What is a suffici-
ent evidence
for Lands

Recorders duty
to see &c

What Deeds of
houses & lands
are valid

Deeds to be ac-
knowledged be-
fore an Assistant

Deeds to be recorded

Good caution
must be given

And if any Graunter being required by the Grauntee, his Heirs or Assignes to make an acknowledgement of any Graunt, Sale, Mortgage or Bargain by him made, shall refuse so to do; the Grantee may enter caution with the Recorder upon such Housing and Lands as are to him Graunted Bargained, Sold or Mortgaged, which caution shall secure the interest of the Grauntee until a legal trial hath passed unto a final issue, upon which issue according to Law, the judgement of the Court being delivered to the Recorder under the Clerk of the Courts hand where the case was tried shall be his Warrant to Record the said Graunt, although the Graunter shall refuse to acknowledge the same.

And it is also Ordered; That the Recorder shall receive *six pence* for every parcel of Land he Records, delivering the Owner a Copy of the same under his hand, whereof *four pence* shall be to himself, and *two pence* for the Clerk of the County, and the said Register shall every County Court deliver into the *Recorder* a Transcript fairly written, of all such Graunts, Bargains or Engagements by him Recorded in the Town book, and the Clerk shall Record it in a Book fairly written for that purpose, and shall file the Copy brought in under the hand of the Town Clerk; also the said Clerk shall have for every Search of a parcel, *one penny*, and every Copy of the same under the hands of the said Register or Town Clerk, and one of the Townsmen, and one of the Assistants or Commissioners, shall be a sufficient and legal evidence to all and every person or persons that shall have the same to all intents, ends and purposes for the holding of the same firm to Him, his Heirs and Assignes for ever: Always provided, no Register shall Record any Lands to any person, except he holds the same upon his own Right, and make it appear to the Clerk or Register, he hath clear Right to those Lands by sufficient Testimony, quiet Possession, Deed of Gift, or acknowledgement of the Graunter before the said Register.

To prevent inconveniences and unnecessary trouble that may ensue by unwritten Graunts, Bargains, Sales or Mortgages:

It is Ordered by this Court; That after the first of *May 1661*, all Graunts Bargains, Sales and Mortgages made of Houses and Lands, shall be in Writing and Subscribed by the Graunter with his own Hand or Mark, unto which Mark his Name shall be annexed and likewise attested by two Witnesses, with their own Hands or Marks, unto which Marks their Names shall be annexed; and after the first of *September 1673*, all Graunts and Deeds made of Houses and Lands shall be acknowledged before an Assistant or Commissioner; and that no Graunt after the time aforesaid shall be accounted compleated according to Law but such as are Written, Subscribed, Witnessed and Acknowledged, as aforesaid. It is also Ordered; That all such Graunts be Recorded according to Law.

REPLEVY.

It is Ordered by this Court and the Authority thereof; That every man shall have liberty to Replevy his Cattle or Goods impounded, Distreined, Seized or Extended (unless it be upon Execution after Judgement, and in payment of Fines and Rates) Provided he put in good Security to prosecute his Replevy to effect, and satisfie such Damages, Demands and Dues as his Adversary shall recover against him by Law.

SCHOOLS.

It being one chief Project of Satan to keep men from the knowledge of the Scriptures, as in former times, keeping them in an unknown Tongue, so in these latter times, by persuading them from the use of Tongues, so that at least the true sense and meaning of the Original might be clouded with false Glosses of Saint seeming deceivers; and that Learning might not be buried in the Graves of our fore-fathers in Church and Colony, the Lord assisting our endeavours:

It

It is therefore Ordered by this Court and the Authority thereof; That every Township within this Jurisdiction, after the Lord hath increased them to the number of Fifty Householders, shall then forthwith appoint one within their Town to teach all such Children as shall resort to him, to Write and Reade, whose Wages shall be paid either by the Parents or Masters of such Children, or by the Inhabitants in General by way of supply, as the major part of those who Order the Prudentials of the Town shall appoint: Provided that those who send their Children, be not oppressed by paying much more then they can have them taught for in other Towns.

And it is further Ordered; That in every County Town, there shall be set up and kept a Grammar School, for the use of the County, the Master thereof being able to instruct Youth so far as they may be fitted for the College.

Every Town where are 50 families to provide a Schoolmaster to teach to write and read, proviso

In every County Town a Latin School to be kept

SECRETARY.

It is Ordered by the Authority of this Court; That within twenty dayes after the Session of every General Court, the Secretary thereof shall send forth Copies of such Laws and Orders as are or shall be made at either of them, which are of general concernment for the Government of this Colony, to the Constables of each Town within this Jurisdiction, for them to publish within fourteen dayes more, at some publick Meeting in their severall Towns, and cause them to be written into a Book, and kept for the use of the Town; and once in every year the Constables in each Town shall reade or cause to be read in some publick Meeting all the Capital Laws, and give notice to all the Inhabitants where they may at any time see the rest of the Laws and Orders, and acquaint themselves therewith. And it is Ordered; That the Secretary shall be paid for the Orders of Publick Concernment that are sent forth into the several Plantations two shillings for every Copy, to be paid out of the publick Treasury, and twelve pence for every Order that is of Publick Concernment Recorded by the Secretary in the County Book. It is also Ordered; That the Secretary shall Record all such Wills and Inventories as are exhibited in the Court of Assistants proved and ordered to be Recorded, and file the Original of them, and grant true Copies of them when they shall be desired, for which he shall be allowed for every Will and Inventory, or both, under five pounds, three shillings and four pence, and for every one above five pounds not exceeding one hundred pounds, six shillings and eight pence; and for every one above a hundred, six pence for every hundred pounds beyond the first hundred pounds; and for the Copies of every Will and Inventory, half so much as by this Order is allowed for Recording the Originals. It is also Ordered; That the Secretary shall be allowed for every Action Entred, by the taking out of a Warrant respecting the same, either from himself or any other Magistrate under forty shillings, the sum of eighteen pence, and six pence for the Warrant; and for every Action as before, above the sum of forty shillings, two shillings and six pence for the Warrant. It is also further Ordered; That the Secretary shall have for every Attachment or Replevin, Bond and Action belonging thereunto five shillings, and for every Execution under fifty shillings, two shillings and six pence; and for every Execution above fifty shillings, five shillings; and for the filing of every individual Testimony two pence, and for the Copy of every Testimony six pence. And whatsoever other Writings any Town or particular person shall desire and receive of the Secretary, he shall pay unto him without delay, due recompence to his rational content. The like dues for Recording of Wills and Inventories, granting of Warrants and Attachments, Replevins and Entries of Actions, granting Executions is by this Court allowed to the several Clerks of the County Courts.

Secret. duty

Const. to publish the Laws

Secret. dues for Court Orders

According to them

For wills and Inventories

For actions and warrants

For Attachments

For Executions

For Testimony & other writings

Clerk of the County Courts dues

The Secretary keeper of the Seal

This Court also appoints the Secretary to be keeper of the Seal of the Colony, and to affix it to such Commissions, Instruments and Certificates as he is

For affixing the
Seal, valued
at five shillings
if the Seal be
lost, valued
at ten shillings

Private offences
when they may
be kept secret

Private offences
when they may
be kept secret

Strays and lost
Goods to be
cryed at pub-
lick meetings

penalty for de-
faulting at pub-
lick meetings

penalty for de-
faulting at pub-
lick meetings

Finders penalty
if he keep it more
than three Months

Owners appeare
within one year
to have restitu-
tion

Strays to be kept
divided

if marked

When Horses
may be taken up
as Strays

Summons
to be served

Summons
to be served

Summons
to be served

Summons
to be served

Ordered by Law to do or shall be desired to by particular persons that have special occasion for the same, for which he shall be allowed besides his writing *three shillings* for affixing the Seal to any Instrument or Writing as aforesaid.

SECRETS.

It is Ordered by this Court; That no Magistrate, Juror, Officer or other man shall be bound to Inform, Present or Reveal any private Crime or Offence, wherein there is no peril or danger to this Colony, or any Member thereof, when any necessary tie of Conscience grounded on the Word of God binds him to secrecy, unless it be in case of Testimony lawfully required.

STRAYS.

It is Ordered by this Court and the Authority thereof; That whosoever shall take up any Stray Beast, or find any Lost Goods, whereof the Owner is not known, he shall give notice thereof to the Constable of the same Town within *six dayes*, who shall enter the same in a Book, and take order that it be Cryed at their next Lecture day or publick Meeting three several dayes; and if it be above *twenty shillings* value, at the next Market or publick Meeting three several dayes; and if it be above *twenty shillings* value, at the next Market or Publick Town meeting in the several Towns in that County where the Goods or lost Beast is found, upon penalty that the party so finding, and the said Constable having such notice, and failing to do as by this Order he is appointed, to forfeit either of them for such default, one third part of the value of such Straies or lost Goods.

And if the finder shall not give notice as aforesaid, within one Month, or if he keep it more then three Months, and shall not Apprise it by sufficient men, and also Record it with the Register of the Town where it is found, he shall then forfeit the full value thereof; and if the Owner appear within one twelve month and a day after such publication, he shall have restitution of the same, or the value thereof, he paying all necessary charges, and to the Constable for his care and pains; as one of the next Magistrates shall adjudge: And if no Owner appear within the time prefixed, the said Stray or Lost Goods shall be thus divided, one fourth part thereof with his reasonable charge to the finder, one fifth part thereof or *ten shillings* to the Constable, at the choice of the Court, the rest to that Countys Treasury in which the said lost Goods or Stray was taken up in; Provided, if it be a Stray there be three strokes clipt in the Hair of the near Buttock, six inches long, that they may be known, provided, also no Horse or Horses shall be taken up as Strays out of the Woods at any time, unless they be found in a perishing condition, or the case be so circumstanced that it is probable they have broke away from the Owner.

SUMMONS.

It is Ordered by this Court; That no Summons, pleading Judgement, or any kind of proceedings in Court or course of Justice, shall be abated, suspended or reversed, upon any kind of circumstantial Errors or Mistakes, if the person and the cause be rightly understood and intended by the Court.

Suits Executions Suits.

It is Ordered by this Court; That in all cases where it legally appears to the Court, that the Plaintiff hath wittingly and willingly done wrong to the Defendant, in commencing and prosecuting any Action, Suit, Complaint or Indictment in his own Name or in the Name of others, he shall pay treble dama-

ges to the party grieved, and be fined forty shillings to the common Treasury; and for the third Offence in that kind, he shall be judged and proceeded against as a common Barrater.

S W I N E.

IT is Ordered by the Authority of this Court; That after the publication hereof, what Swine shall go without Rings or Yoaks at any time in the year that go out of mens own yards, or within four Miles of the Center of the Township, those that shall Pound any such Swine shall have for *penes* a piece, and the Pound-keeper *one penes* a piece and just damages. This Court doth also refer it to the several Towns to appoint some that may attend to put this Order in execution, and this Order to take place against any Swine that are above a quarter of a year old; Provided also that if any Swine at *Windsor* be found on the Commons within three miles of *Connecticut River* without Rings or Yoaks, they shall be liable to be Poundd as aforesaid.

Swine taken with out rings or yokes within miles of a meeting house are poundable penalty 8. d

& within 3 miles of the River at Windsor, &c.

It is also Ordered; That if any person, either English or Indian within this Colony, shall under pretence of killing wilde swine in the Commons, kill and destroy any Swine great, or small, belonging to any other person, he, or they, so doing, shall forfeit five pounds to the publick Treasury, and pay all just damages to the Owner of such Swine. And it is also Ordered; That no person shall employ any Indians to kill Swine in the Woods upon the aforesaid penalty of five pounds.

Swine not to be killed in the woods pen. 5. l. 13

Indians not to be employed pen 5. l.

T E S T I M O N I E S.

IT is Ordered by this Court; That whatever Testimonies are improved in any Court of Justice in this Jurisdiction, in any Action or case to be tryed, shall be presented in Writing, and so kept by the Secretary or Clerk of the said Court on file, which Testimony shall be written in the Witnesses own words, and by some indifferent persons, not the Plaintiff or Defendant; Provided notwithstanding, it shall be in the power of the Court or any Magistrate strictly to examine any Witnes upon his Testimony, written as aforesaid, that so the truth may clearly appear.

Testimonies to be written and filed

Not not written by Plaintiff or Defendant

Testimony not withstanding may be examined

T I M B E R.

For the preserving of Timber; It is by this Court Ordered, That whosoever shall fell any Timber Tree within this Colony, and not improve it within three months after he hath fell'd it (unless he be prevented by sickness or otherwise inevitably) he shall forfeit *ten shillings*, five shillings to the publick Treasury, and five shillings to the Complainer.

T O R T U R E.

IT is Ordered by the Authority of this Court; That no man shall be forced by Torture to confess any Crime against himself, and that no man shall be beaten with above *thirty stripes* for one Fact, at one time; nor shall any person be punished with whipping except the Law so determine, or he have no other way to answer the Law, unless the Crime be very shameful, and his course of life vicious and prophane.

Town-ships.

IT is by this Court Granted, that the settled and approved Inhabitants of every Township, shall have power to make such Orders and Constitutions as may concern the welfare of their Town, Provided they be not of a Criminal, but only of a Prudential nature, and that their penalties exceed not *twenty shillings* for one Offence, and that they be not repugnant to the Laws and Orders of this Colony: And if any Inhabitant shall neglect or refuse to observe them, they shall have power to levy the appointed penalties by Distress.

The power of Townships to make orders, and their penalties provided

To chuse Select
men

Proviso

Selectmens
power

It is also Ordered, That the settled & approved Inhabitants of each Township shall have power to chuse yearly within each Township, a convenient number of fit men to order the Prudential Occasions of the Town, provided nothing be done by them contrary to the publick Laws & Orders of this Colony; Provided also, that the number of such Select persons be not above seven in one Township.

Further it is Ordered by the Authority of this Court; That the Select men in each Township from time to time, when need shall require, shall have full power to Order and Dispose of all single Persons and Inmates within their Towns (who live an Idle or Riotous life) to Service or otherwise. And if any person be aggrieved at their order and dispose, they have liberty to apply themselves to the next County Court for relief.

Town Officers.

Town Officers
refusing to ac-
cept their places
forfeit 40s.

Proviso

VV Hereas it is found by experience, that there is not due Provision in the Law for to constrain such as are chosen Town-Officers (viz. Select men, Constables, Lifters, Collectors of Rates, Surveyors of the High wayes, Seelers, Packers, Chimney-viewers, Haywards) to accept of their respective Offices and places.

It is Ordered by the Authority of this Court; That if any person chosen to any of the aforesaid Offices, by the Inhabitants of the Town where he lives, shall refuse or neglect to accept of any of the said Offices to which he is chosen, they shall forfeit forty shillings a piece to the Town Treasury where they dwell, except they can make it appear that they are oppressed by such choice, and others unjustly exempted, any one Assistant or Commissioner is impowred to hear and determine any such case.

Trade, Free Trade.

Free trade allo-
wed

It is Ordered by this Court; That all Merchants not by Law prohibited, which come for Trading only into these parts, shall have free liberty to Trade with us, and shall have free access with their Ships or other Vessels into any of our Harbours, and quier Riding there, and free liberty to depart without any molestation by us, provided they observe the Laws and Orders of the Colony, during their abode here.

Treasure by
what order to be
expended

TREASURE.

It is Ordered by this Court; That the General or Publick Treasure, or any part thereof, shall never be expended but by the appointment of the Governour, or Assistants, or General Court; nor any County Treasury but by the appointment of the Assistants or Commissioners of that County, nor any Town Treasure but by the appointment of the Select men or the Inhabitants of the Town.

TREASURER.

His duty not to
part with the
publick Treasure
but with Order
and according to
OrderTreasurers pow-
er

It is Ordered by the Authority of this Court; That the Treasurer shall deliver no Money out of his hands to any person without Order under the hands of two Assistants or Commissioners, if the Sum be above twenty shillings, if it be under, then the Treasurer may accept of Order under the hands of one Assistant or Commissioner; Alwayes provided that the Assistants or Commissioners that Grant Bills as aforesaid, shall insert for what they grant such Bills as they shall signe; but if it be for the payment of some Bills to be allowed, which are referred to a Committee to consider of whether they ought to be allowed or not, such Bills as they accept, and set their hands unto, the Treasurer shall accept and give satisfaction; also he shall pay such Sums as the General Court shall appoint him from time to time, so far as he hath under his command of the publick Treasury to do it.

It is also Ordered; That it shall be in the power of the Treasurer at all times as cause requires, to issue forth his Warrants to the Marshal or Constable for the levying all fines and forfeitures as shall be due from any person or persons to the publick Treasury.

Trespas.

TRESPASSE.

It is Ordered by this Court; That in all Trespasse or Damage done to any man or men, if it can be proved to be done by the meer default of him or them to whom the Trespasse is done, it shall be judged no Trespasse, nor any damage given for it.

What is not a Trespasse.

TRESPASSES.

It is Ordered by the Authority of this Court; That if any Horse or other Beast trespass in Corn or other Inclosure, being Fenced in such sort as secures against Cows, Oxen, small Calves, and such like Cattle, the party or parties trespassed shall procure two able men of good report and credit to view and adjudge the harm, which the Owner of the Beast shall satisfy when known, upon reasonable demand, whether the Beast were Impounded or not; but if the Owner be known, and near residing, as in the same Town or the like, notice shall be left at the usual place of his abode of the Trespasse, before an Estimation be made thereof, to the end he or any others appointed by him may be present when the judgement is made; the like notice also shall be left for him of the damage charged upon him, that if he approve not thereof he may repair to the Selectmen or some of them, who shall in such cases, nominate and appoint two able & indifferent men to review and adjudge the said Harms, which being forthwith discharged, together with the charge of the notice former and latter view and determination of damages, the first judgement to be void, if not to stand in Law.

Trespasse how tried

TRIALS.

It is Ordered by the Authority of this Court; That in all Actions of Law, it shall be the liberty of Plaintiff and Defendant, by mutual consent, to chuse whether they will be tryed by the Bench or Jury, unless it be where the Law upon just reason hath otherwise determined; the like liberty shall be granted to all persons in any Criminal Cases. Also it shall be in the liberty of Plaintiff and Defendant, and likewise every Delinquent to be judged by a Jury, to challenge any of the Jurors, and if the challenge be found just and reasonable by the Bench, or the rest of the Jury, as the challenger shall chuse, it shall be allowed, and so many other suitable persons impannelled in their rooms.

VERDICTS.

That Peace with Truth and Righteousness may continue and flourish in the Confederate Colonies;

It was upon the recommendation of the Commissioners Ordered by this Court; That any Verdict or Sentence of any Court within the Colonies presented under Authentick Testimony, shall have a due respect in the several Courts of this Jurisdiction, where there may be occasion to make use thereof, and shall be accounted good evidence for the party until better evidence or just cause appear to alter or make the same void, and that in such case the issuing of the Cause in question be respited for some convenient time, that the Court may be advised with where the Verdict or Sentence first passed; Provided also, that this Order shall be accounted valid and improved only for the advantage of such only as live within some of the United or Confederate Colonies, where the Verdicts in the Courts of this Colony may receive a reciprocal respect by a like Order established by the General Court of that Colony.

VESSELS.

Whereas it is observed, that some Seamen wright Anchor in the Harbours of the several Plantations within this Jurisdiction, and pass out on the Lords day, to the great grief and offence of the beholders, for the preventing whereof;

It is Ordered by this Court; That no Vessel shall depart out of any Harbore within this Jurisdiction upon the Sabbath, without he hath upon some emergent occasion Special Order from some Magistrate or Commissioner under his hand to so do, otherwise they shall forfeit to the publick Treasury forty shillings, a fourth part of which fine shall be to the Complainer.

VOTES.

It is Ordered by this Court; That if any person that is not a Freeman of this Colony, so acknowledged by the General Assembly, shall presume to Vote in the Election of any of the Members of the General Assembly; or if any person that is a Freeman shall put in above one Vote at a time, he shall pay five pounds, as a fine to the publick Treasury for each transgression herein;

USURY.

It is Ordered by the Authority of this Court; That no man shall be adjudged for the meer forbearance of any Debt above six pence in the Hundred for one year, and not above that rate proportionably for all sums whatsoever, Bills of Exchange only accepted; neither shall this be a colour or countenance to allow any Usury amongst us contrary to the Law of God.

WATCHES.

A sufficient
watch maintain-
ed in every town

It is Ordered by this Court; That there shall be a sufficient Watch maintained in every Town within this Colony, and that the Constable of each Town shall cause the same to be duly warned by the Watchmen, and see that the Inhabitants do severally in their turns observe the same, according as the Inhabitants shall agree: And it is Ordered, that whosoever is liable to Watch, and shall take a journey out of the Town wherein he liveth, after he hath had timely notice and warning to Watch, he shall provide a Watchman for that turn though himself be absent; and if any man that taketh a journey, or goeth out of the Town wherein he liveth, shall return within a week after the Watch is past his house, he shall be ordered and appointed to Watch that turn past a week before;

And for the better keeping Watches and Wards by the Constables in time of peace:

Constables to pre-
sent neglects

Penalty

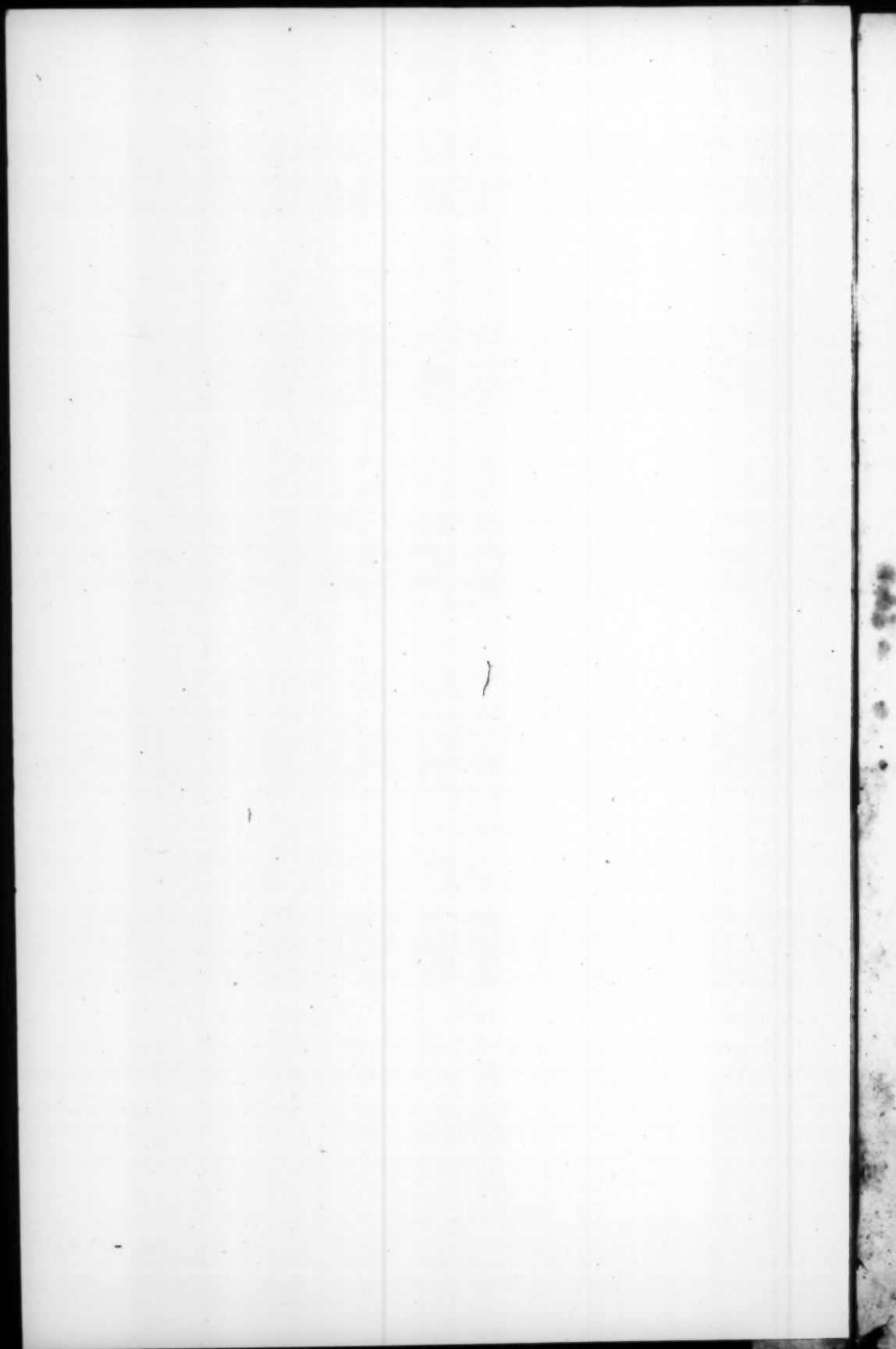
It is Ordered by this Court; That every Constable shall Present to the next Magistrate or Commissioner the Name of every Person, who shall upon lawful warning refuse or neglect to Watch or Ward, either in person or by some other fit for that service; and if being convented, he cannot give a just excuse, he shall by the said Assistant or Commissioner be adjudged to pay five shillings for every such default, which by Warrant from the Assistant or Commissioner, shall be levied by the Constable, and be employed for the use of the Watch of that Town: And it is the intent of the Law, that every person of able body (not exempted by Law) or of Estate to hire another, shall be liable to Watch and Ward, or to supply it by some other when they shall be thereunto required; and if there be in the same house divers such persons, whether Sons, Servants or Sojourners, they shall all be compellable to Watch as aforesaid; provided all such as keep Families at their Farms, being remote from any Town, shall be exempted.

The time of ta-
king their charge

It is also Ordered; That the Watchman shall duly attend to receive their charge at the Constables house in the Evening, by the shutting in of the Day-light, and they are not to leave their Watch before the Day-light again, and whosoever shall be convicted of the breach of this Order shall forfeit two shillings; six pence for every default; the one half to the Constable, the other to the benefit of the Watch.

Witness.





WITNESSES.

IT is Ordered by this Court; That no person for any Fact committed shall be put to death without the Testimony of two or three Witnesses, or that which is equivalent thereunto.

No sufficient testimony without there be two

And it is also Ordered; That any one Assistant or Commissioner may take the Testimony of any person of sixteen years of age, or above, of sound understanding and reputation, in any case, Civil or Criminal; Provided, that where any such Witnesses shall have his abode in that County where the Case is to be heard, and not disabled by sickness or other infirmity, the said Testimony so taken before the sitting of the Court, shall not be received or made use of in Court, except the Witness be also present to be further examined about it; Provided also, in all Capital Cases, all Witnesses shall be present wherefoever they dwell.

Testimonies may be taken before one Magistrate

And it is also Ordered; That any person Summoned to appear as a Witness in any Civil Court, between party and Party, shall not be compellable to travel to any Court or Place where he is to give in his Testimony, except he who shall so Summon him shall lay down or give him satisfaction for his travel and expence outward & homeward, & for such time as he shall spend in attendance when he is at such Court or Place, the Court shall award due recompence. And it is Ordered, that two shillings a day shall be accounted due satisfaction for any Witness for his Travel and Expences, and for such Witnesses as do not travel out of the Town where they dwell, there shall be allowed but one shilling six pence per Day: And if any Witness after such payment or satisfaction shall fail to appear to give in their Testimony, he shall be liable to pay the parties damages upon an Action of the case. And all Witnesses upon Criminal Cases shall have their necessary Expences born and paid out of the County Treasury where the case is tried in the County Courts, and such Witnesses that attend the Court of Assistants in Criminal and Capital cases, shall have their necessary Expences born by the Colony Treasury.

WOLVES.

VV Hereas great Loss and Damage doth befall this Colony by reason of Wolves, which destroy great numbers of our Cattle, therefore for the encouragement of such as shall labour to destroy them;

It is Ordered by this Court; That any person that shall kill any Wolf or Wolves, within six miles of any Plantation in this Colony, shall have for every Wolf by him or them so killed eight shillings out of the Publick Treasury of the Colony. And every English man shall have eight shillings more paid him out of that Towns Treasury within whose bounds the Wolf was killed; Provided that due proof be made thereof, and also that they bring a certificate under some Magistrates hand, or Constable of that place unto the Treasurer; Provided also, that this Order intend only such plantations as do contribute with us to publick charges, they shall make payment upon their own charge.

It is also Ordered by the Authority of this Court; That what person soever English or Indian, shall take any Wolf out of any Pit made by another man to catch Wolves in, whereby they would defraud the right owner of their due from the Colony or Town, every such Offender shall pay to the owner of the Pit twenty shillings, or be whipped on the naked body not exceeding six stripes.

Wrecks of the Sea.

It is Ordered by this Court; That if any Ships or other Vessels, be it Friend or Enemy, shall suffer Shipwreck upon our Coasts, there shall be no violence

or wrong offered to their persons or goods, but their persons shall be harboured and relieved, and their goods preserved in safety till Authority may be certified, and shall take further order therein.

Forms and Precedents to be used so far as there is occasion, and they may be useful

Summons.

TO A. B. of H. these are in his Majesties Name, to Will and Require you to appear at the next County Court to be holden at H. on the day of the Month next ensuing, to answer C. D. of W. in an Action of Debt, for money due to him for a Horse, with damages, to the value of or an Action of the case, for damage by your Cattle done to his Corn, or Trespass, or Slander for saying so and so, or Battery, &c. hereof you may not fail: Dated in H. the day of the Month, 1672.

To the Marshal, or either of the Constables of P.

Attachment

THese are in his Majesties Name, to Will and Require you to Attach the Estate of T. F. of N. to the value of and for want of Estate his person, with sufficient Surety or Sureties for his appearance at the Court to be holden at H. on the day of the Month next ensuing, to answer W. P. of M. in an Action of Debt, with Damages, to the value of and what Estate you Attach, or Security you receive, you are to secure it in your hands, that it may be responsible to answer the aforesaid Action, and the Judgement of the Court therein; the Plaintiff having given sufficient caution to prosecute his Action to effect, and answer all Damages in case he make not his plea good; You are also to make return of the serving hereof to the said Court, or to the Clerk before the Court, hereof fail not: Dated in H. the day of the Month, 1672.

Bond for prosecution

WEE D. E. and F. G. acknowledge ourselves Bound to the Publick Treasury of the Colony of Connecticut in a Recognizance of that W. P. of M. shall Prosecute the Attachment he hath now taken out against T. F. of N. at the Court to be holden at H. on the day of the Month next, to full effect, and answer all Damages in case he make not his plea good: Dated in H. the day of the Month, 1672. Acknowledged before me
J C. Clerk.

To the Constables of H. or either of them.

Replevin

THese are in his Majesties Name to Will and Require you forthwith to Reprieve three Swine, or two Oxen Impounded or Distreined by A. B. of H. and deliver them to C. D. of S. he having given Bond to the value of to prosecute his Replevin at the next Court to be holden at H. and so from Court to Court till the case be issued, and to pay such costs and damages to the said C. D. as he shall by Law recover against him; and you are to make a true return hereof under your hand, hereof you may not fail: Dated in H. the day of the Month, 1672.

Summons for witnesses

YOU whose Names are under written, are in his Majesties Name required to appear at the Court to be holden at Hartford the day of the Month next ensuing, to give in your Testimony in a case depending between C. G. of H. and W. P. of W. hereof fail not. To A. B. and C. D. of W. M. the day of October, 1672.

